

By Mr. FITZGERALD of Massachusetts: Resolutions of the sixth annual convention of the Ohio Valley Improvement Association, for the improvement of the Ohio River by the erection of locks and dams at various points—to the Committee on Rivers and Harbors.

Also, resolutions of Kearsarge Association, Naval Veterans, of Boston, Mass., for the passage of Senate bill No. 3423, an act to equalize the rank and pay of certain retired officers of the Navy—to the Committee on Naval Affairs.

By Mr. GREEN of Pennsylvania: Paper to accompany House bill granting an increase of pension to Thomas Thompson—to the Committee on Invalid Pensions.

By Mr. GRIFFITH: Petition of county officers and citizens of Brown County, Ind., to accompany House bill granting an increase of pension to Charles H. Gott—to the Committee on Invalid Pensions.

By Mr. GROW: Petition of the Woman's Christian Association of Philadelphia, Pa., in favor of an amendment to the Constitution against polygamy—to the Committee on the Judiciary.

By Mr. HILL: Papers to accompany House bill for the relief of John Gagen—to the Committee on Invalid Pensions.

By Mr. HITT: Resolutions of the Methodist Episcopal Church, of Poplar Grove, Ill., relative to the exclusion of alcoholic liquor from Africa and all countries inhabited chiefly by native races—to the Committee on Alcoholic Liquor Traffic.

By Mr. OTJEN: Resolution of Commandery of Wisconsin, Military Order, Loyal Legion, in support of bill for extending the patents on their insignia, ribbon, etc.—to the Committee on Patents.

By Mr. PAYNE: Petition of citizens of Auburn, N. Y., in favor of the anti-polygamy amendment to the Constitution and certain other measures—to the Committee on the Judiciary.

Also, petition of the Woman's Christian Temperance Union of Sherwood, N. Y., urging the passage of House bill for the protection of native races in our islands against intoxicants and opium—to the Committee on Military Affairs.

By Mr. PEREA: Two petitions of citizens of Otero and Lincoln counties, N. Mex., for the protection of the forests and water supply in their vicinity—to the Committee on Indian Affairs.

By Mr. RICHARDSON of Alabama: Papers to accompany House bill for the relief of Sandy Crawford, Florence, Ala.—to the Committee on Claims.

Also, papers to accompany House bill for the relief of Mrs. W. M. Weaver—to the Committee on War Claims.

By Mr. RIPLEY: Papers to accompany House bill No. 11755, granting a pension to Antionette A. Ripley—to the Committee on Invalid Pensions.

By Mr. ROBERTSON of Louisiana: Paper to accompany House bill granting an increase of pension to Joseph Carey—to the Committee on Invalid Pensions.

By Mr. RUSSELL: Petition of Young People's Union of the Central Baptist Church of Norwich, Conn., urging the passage of House bill No. 12551, for the protection of native races in our islands against intoxicants and opium—to the Committee on Alcoholic Liquor Traffic.

By Mr. STEELE: Petition of David Allen and 19 other citizens of Wabash, Ind., favoring uniform marriage and divorce laws and certain other measures—to the Committee on the Judiciary.

By Mr. SULZER: Resolutions of the New York Academy of Medicine for the repeal of the war tax on charitable, educational, and religious institutions—to the Committee on Ways and Means.

Also, resolutions of the New York Academy of Medicine for an appropriation for six iron bookshelves in the Surgeon-General's Office, Washington, D. C.—to the Committee on Appropriations.

Also, paper to accompany House bill to remove the charge of desertion from the military record of John Skillicorn—to the Committee on Military Affairs.

By Mr. SUTHERLAND: Papers to accompany Senate bill No. 3349—to the Committee on Indian Affairs.

By Mr. VREELAND: Petition of Women's Missionary Society of the Presbyterian Church of Fredonia, N. Y., favoring anti-polygamy amendment to the Constitution—to the Committee on the Judiciary.

Also, petition of citizens of Friendship, N. Y., against the establishment of the parcels-post system—to the Committee on the Post-Office and Post-Roads.

By Mr. WEEKS: Petition of keeper and surfmen of Grindstone City, Mich., life-saving station, for the passage of the bill to increase their pay—to the Committee on Interstate and Foreign Commerce.

Also, petition of A. N. Carlisle and others of Port Huron, Mich., in favor of the letter carriers' salary bill—to the Committee on the Post-Office and Post-Roads.

By Mr. YOUNG: Petition of James G. Biddle, of Philadelphia, Pa., favoring the passage of House bill No. 11350, to establish the national standardizing bureau—to the Committee on Coinage, Weights, and Measures.

## SENATE.

TUESDAY, January 15, 1901.

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. CARTER, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. Without objection, the Journal will stand approved.

## LEGATION BUILDING AT SEOUL.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of State, transmitting a copy of a dispatch from the minister of the United States to Korea, explaining the necessity for the improvement of the legation building owned by the United States at Seoul, and asking that an appropriation of \$2,250 be made for that purpose; which, with the accompanying paper, was referred to the Committee on Appropriations, and ordered to be printed.

## ELECTORAL VOTE OF WYOMING.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of State, transmitting a certified copy of the final ascertainment of the electors for President and Vice-President appointed in the State of Wyoming at the election held therein on the 6th day of November, 1900; which, with the accompanying paper, was ordered to lie on the table.

## CLAIMS OF NEW YORK INDIANS.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Interior, transmitting, in response to a resolution of the 3d instant, a report from the Commissioner of Indian Affairs, relative to the sums of money, if any, paid by the United States upon the claim of the New York Indians for compensation for lands in Kansas growing out of the treaty concluded at Buffalo Creek on January 15, 1838, or subsequent treaties, etc.; which, with the accompanying papers, was referred to the Committee on Indian Affairs, and ordered to be printed.

## PAYMENTS TO SISSETON AND WAHPETON INDIANS.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Interior, transmitting, in response to a resolution of the 7th instant, copies of all recommendations, requests, and papers on file in relation to the payment of money belonging to the Sisseton and Wahpeton Indians to said Indians since November 6, 1900, etc.; which, on motion of Mr. PETTIGREW, was, with the accompanying papers, referred to the Committee on Indian Affairs, and ordered to be printed.

## REPORTS ON FOREIGN RELATIONS.

Mr. LODGE. I ask that the vote by which the Senate passed resolution No. 456 may be reconsidered. I will then ask that the resolution may be amended so as to conform to the law and save the necessity of a separate appropriation. It is the resolution for printing the Compilation of Reports of the Committee on Foreign Relations.

The PRESIDENT pro tempore. The Senator from Massachusetts asks that the vote by which the resolution indicated by him was passed be reconsidered. Is there objection? The Chair hears none, and it is reconsidered.

Mr. LODGE. I now ask for the consideration of the resolution with a view to its amendment.

The PRESIDENT pro tempore. The resolution, without objection, is before the Senate.

Mr. LODGE. I propose the amendments which I send to the desk.

The SECRETARY. In line 1 strike out the word "of" and insert the words "as a Senate document;" and in line 9, after the word "purposes," strike out "500 copies, of which number 35 copies shall be for the use of the Senate;" so that when amended the resolution will read as follows:

*Resolved*, That there be printed as a Senate document the Compilation of Reports of the Committee on Foreign Relations of the United States Senate from 1789 to 1900, prepared under the direction of the Committee on Foreign Relations, as authorized by the act approved June 6, 1900, entitled "An act making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1900, and for prior years, and for other purposes."

The amendments were agreed to.

The resolution as amended was agreed to.

## ENROLLED BILLS SIGNED.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the Speaker of the House had signed the following enrolled bills and joint resolution; and they were thereupon signed by the President pro tempore:

A bill (S. 5231) relating to the accounts of United States marshals and clerks of the district courts of the Territory of Utah;

A bill (H. R. 827) for the relief of the trustees of the Presbyterian Church of Dardanelle, Yell County, Ark.;

A bill (H. R. 3020) for the relief of Rev. William T. McElroy;

A bill (H. R. 3047) to remove the charge of desertion from the military record of John Faulds, Company G, Thirty-first Wisconsin Infantry;

A bill (H. R. 12395) to provide for the holding of the circuit and district courts of the United States for the eastern district of Arkansas;

A bill (H. R. 12740) making an apportionment of Representatives in Congress among the several States under the Twelfth Census; and

A joint resolution (S. R. 145) authorizing the Secretary of War to grant permits to the executive committee on inaugural ceremonies for use of reservations or public spaces in the city of Washington on the occasion of the inauguration of the President-elect, on March 4, 1901, etc.

#### PETITIONS AND MEMORIALS.

Mr. SCOTT presented a petition of sundry citizens of Ohio County, W. Va., praying for the repeal of the revenue-stamp tax on bank checks; which was referred to the Committee on Finance.

He also presented a petition of sundry citizens of West Virginia, praying for the enactment of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which was referred to the Committee on Agriculture and Forestry.

Mr. McMILLAN presented a petition of the Jewish Woman's Club of Detroit, Mich., praying for the adoption of an amendment to the Constitution to prohibit polygamy; which was referred to the Committee on the Judiciary.

He also presented a petition of the Trades and Labor Union of Port Huron, Mich., praying for the enactment of legislation to regulate the hours of daily labor of workmen and mechanics, and also to protect free labor from prison competition; which was referred to the Committee on Education and Labor.

Mr. WETMORE presented the petitions of Asa Church, keeper, and 7 other members of the life-saving crew at Point Judith; of Albert Church, keeper, and 7 other members of the life-saving crew at Narragansett Pier; of Nathaniel D. Ball, keeper, and 7 other members of the life-saving crew at Block Island, and of W. F. Saunders, keeper, and 7 other members of the life-saving crew at Quonochontang, all in the State of Rhode Island, praying for the enactment of legislation to promote the efficiency of the Life-Saving Service and to encourage the saving of life from shipwreck; which were referred to the Committee on Commerce.

Mr. NELSON presented a petition of sundry citizens of Odin, Minn., praying for the enactment of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of sundry citizens of Owatonna, Minn., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in Army canteens; which was ordered to lie on the table.

Mr. KEAN presented sundry petitions of citizens of Plainfield, Summit, Haddonfield, and Madison, all in the State of New Jersey, praying for the adoption of an amendment to the Constitution to prohibit polygamy; which were referred to the Committee on the Judiciary.

Mr. HARRIS. I present the petition of A. N. Russell, of Cherryvale, Kans., for reference to the Committee on Post-Offices and Post-Roads. As it is very short, I ask that it may be read, so as to give the rank and file a chance to be heard.

There being no objection, the petition was read, and referred to the Committee on Post-Offices and Post-Roads, as follows:

CHERRYVALE, KANS., January 12, 1901.

To the Senators, United States Senate, Washington, D. C.

HONORABLE GENTLEMEN: People in cities have mail delivered free, yet most of them are within five minutes of the post-office, and many of them have plenty of leisure time and the trip would do them good. Many farmers now have free-mail delivery. Throughout the land there are several millions of people in very moderate circumstances to whom the saving of even \$1 per year is an important item. Why not make the boxes in the post-offices free and allow more than one family to use the same box, if they wish? Tariff bills for rich manufacturers are attended to promptly. Financial measures for rich bankers are put through, and objection or debate is not tolerated. Shipbuilding jobs are coddled with prompt manifestations of affection. Mrs. Grant was granted a pension of \$5,000 in thirty minutes. Would it be possible for the millions of people in the United States to have a free use of a box in their post-office within eleven years?

Yours, truly,

A. N. RUSSELL.

Mr. CULBERSON presented a petition of the General Assembly of the Presbyterian Church, of Denison, Tex., praying for the enactment of legislation to prohibit the sale of intoxicating liquors to native races in Africa; which was referred to the Committee on Foreign Relations.

Mr. DANIEL presented the petition of James A. D. Savage, keeper, and seven other members of the life-saving station of Wachapreague, Va., praying for the enactment of legislation to promote the efficiency of the Life-Saving Service, and to encourage the saving of life from shipwreck; which was referred to the Committee on Commerce.

Mr. COCKRELL presented the affidavits of Dr. W. E. Dawson, of Eldorado Springs, Mo., and of Dr. Kimball Hill and Dr.

J. N. Haynes, of Eldorado Springs, Mo., to accompany the bill (S. 5563) granting an increase of pension to Samuel J. Boyer; which were referred to the Committee on Pensions.

Mr. TOWNE presented petitions of sundry citizens of Beaver Creek, Hugo, and of Jackson and Freeborn counties, all in the State of Minnesota, praying for the enactment of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which were referred to the Committee on Agriculture and Forestry.

Mr. FRYE presented the petition of Charles C. Benson and 37 other citizens of Lewiston, Me., praying for the repeal of the revenue-stamp tax on bank checks; which was referred to the Committee on Finance.

#### REPORTS OF COMMITTEES.

Mr. GALLINGER. I am directed by the Committee on Pensions, to whom was referred the bill (H. R. 10945) granting an increase of pension to William T. Wyant, to report it adversely, and to move its indefinite postponement, the beneficiary under the bill being dead.

The motion was agreed to.

Mr. GALLINGER, from the Committee on Pensions, to whom were referred the following bills, reported them each with an amendment, and submitted reports thereon:

A bill (S. 5325) granting an increase of pension to Warren Damon;

A bill (H. R. 3636) granting an increase of pension to George A. Libby; and

A bill (S. 4237) granting a pension to Frances Helen Lewis.

Mr. GALLINGER, from the Committee on Pensions, to whom were referred the following bills, reported them severally with amendments, and submitted reports thereon:

A bill (S. 5170) granting a pension to Louise Wolcott Knowlton Browne;

A bill (S. 5397) granting a pension to Charity McKenney; and

A bill (S. 4731) granting an increase of pension to Henrietta M. Leiper.

Mr. GALLINGER, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 8942) granting an increase of pension to Michael Howlett;

A bill (S. 5505) granting a pension to Kate M. Scott;

A bill (S. 5506) granting a pension to Mary Fryer, now Gardner; and

A bill (S. 5507) granting a pension to Mary Priscilla Allen, now Barry.

Mr. GALLINGER (for Mr. KENNEY), from the Committee on Pensions, to whom was referred the bill (S. 5409) granting an increase of pension to John W. Phillips, reported it with an amendment, and submitted a report thereon.

He also (for Mr. KENNEY), from the Committee on Pensions, to whom was referred the bill (S. 4772) granting a pension to John W. Eichelberger, reported it with an amendment, and submitted a report thereon.

He also (for Mr. KYLE), from the Committee on Pensions, to whom were referred the following bills, reported them severally with amendments, and submitted reports thereon:

A bill (S. 4542) granting a pension to Jane Woods;

A bill (S. 3400) granting an increase of pension to Charles T. Shaw; and

A bill (S. 5146) for the relief of Robert H. Jones.

Mr. GALLINGER (for Mr. KYLE), from the Committee on Pensions, to whom was referred the bill (S. 4692) granting an increase of pension to Asa W. Taylor, reported it with an amendment, and submitted a report thereon.

He also (for Mr. KYLE), from the same committee, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 7912) granting an increase of pension to Harriet A. Wilson; and

A bill (H. R. 3658) granting a pension to Catherine Broughton.

Mr. ALLEN, from the Committee on Pensions, to whom were referred the following bills, reported them each with an amendment, and submitted reports thereon:

A bill (S. 2104) granting an increase of pension to William L. Aten;

A bill (S. 2227) granting an increase of pension to Uriah Clark; and

A bill (H. R. 5643) granting a pension to Elizabeth Beesley.

Mr. ALLEN, from the Committee on Pensions, to whom was referred the bill (S. 648) granting an increase of pension to Margaret G. White, reported it with amendments, and submitted a report thereon.

He also, from the same committee, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 9785) granting a pension to Catherine A. McClanathan; and



A bill (H. R. 4536) granting an increase of pension to William P. Aylesworth.

Mr. ALLEN (for Mr. KENNEY), from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 11211) granting a pension to Thomas Clark;

A bill (H. R. 5944) granting an increase of pension to Jeremiah Everly;

A bill (H. R. 4130) granting a pension to Mary Clark;

A bill (H. R. 8273) granting a pension to Sarah S. Hammond;

A bill (H. R. 9981) granting an increase of pension to Joseph Zimmerman;

A bill (H. R. 10639) granting an increase of pension to Julia A. Gilpin;

A bill (H. R. 8191) granting an increase of pension to Adam Bieger; and

A bill (H. R. 4143) granting a pension to Laura V. Swearer.

Mr. HARRIS, from the Committee on Civil Service and Retrenchment, to whom was referred the bill (S. 5417) to amend section 1754 of the Revised Statutes of the United States, relating to the preference in civil appointments of ex-Army and Navy officers, reported it without amendment, and submitted a report thereon.

Mr. TURNER, from the Committee on Pensions, to whom was referred the bill (S. 4828) granting an increase of pension to Norman Stewart, reported it with amendments, and submitted a report thereon.

Mr. PRITCHARD, from the Committee on Pensions, to whom were referred the following bills, reported them each with an amendment, and submitted reports thereon:

A bill (S. 3531) granting a pension to William P. Payne; and

A bill (S. 5400) granting a pension to Martin Dismukes.

Mr. PRITCHARD, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 8027) granting a pension to William R. Miller;

A bill (H. R. 9378) granting a pension to Irving Johnson; and

A bill (H. R. 2636) granting an increase of pension to John H. Gardner.

Mr. QUARLES, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 10892) granting an increase of pension to Phebe Tate;

A bill (H. R. 4231) granting a pension to Michael Ryan, alias Kennedy;

A bill (H. R. 4516) granting an increase of pension to Burwell Hinchman; and

A bill (H. R. 6623) granting a pension to Sarah E. Wall.

HORATIO N. DAVIS.

Mr. GALLINGER. I am directed by the Committee on Pensions, to whom was referred the bill (S. 5549) granting an increase of pension to Horatio N. Davis, to report it favorably without amendment. The beneficiary is the father of the late Senator Davis, and I call the attention of the Senator from Minnesota [Mr. NELSON] to this report.

Mr. NELSON. I ask unanimous consent that the bill may be considered now.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to place on the pension roll the name of Horatio N. Davis, late captain and commissary of subsistence, United States Volunteers, and to pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### REPORT OF LIBRARIAN OF CONGRESS.

Mr. WETMORE, from the Committee on the Library, reported the following resolution; which was referred to the Committee on Printing:

*Resolved*, That there be printed 3,000 copies of the annual report of the Librarian of Congress, 1900, of which number 500 copies bound in cloth shall be for the use of the Senate, and for the use of the Librarian of Congress 1,500 copies in paper covers and 1,000 copies in cloth.

#### THE NICARAGUA CANAL BILL.

Mr. MORGAN. Mr. President, I desire to ask the unanimous consent of the Senate that a vote shall be taken on House bill No. 2538, being the Nicaragua Canal bill, on the 11th day of February, at 5 o'clock in the afternoon—the bill and amendments.

The PRESIDENT pro tempore. The Senator from Alabama asks unanimous consent that votes of the Senate be taken on the bill known as the Nicaragua Canal bill and all pending amendments at 5 o'clock on the 11th day of February next. Is there objection?

Mr. DANIEL. I object.

The PRESIDENT pro tempore. Objection is made.

#### DELAWARE RIVER BRIDGE.

Mr. VEST. I am directed by the Committee on Commerce, to whom was referred the bill (S. 5395) to authorize the United New Jersey Railroad and Canal Company and the Philadelphia and Trenton Railroad Company, or their successors, to construct and maintain a bridge across the Delaware River, to report it favorably with amendments.

Mr. SEWELL. I ask unanimous consent that the bill be taken up and put on its passage. It is merely for the straightening of a track to avoid a curve.

The Secretary read the bill; and, by unanimous consent, the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported from the Committee on Commerce with amendments.

The first amendment was, in line 3, section 3, page 3, after the word "thereon," to insert "or after completion;" so as to read:

And should any change be made in the plan of the bridge during the progress of the work thereon or after completion, such change shall be subject likewise to the approval of the Secretary of War.

The next amendment was at the end of section 3 to insert:

And the said structure shall be changed and altered at the cost and expense of the owners thereof from time to time, as the Secretary of War may direct, so as to preserve the free and convenient navigation of said river.

The amendment was agreed to.

The next amendment was to add as a new section the following:

SEC. 6. That all railroad companies desiring the use of the bridge authorized by this act shall have, and be entitled to, equal rights and privileges relative to the passage of railway trains or cars over the same and over the approaches thereto, upon the payment of a reasonable compensation for such use. And in case the owner or owners of said bridge and the several railroad companies, or any one of them desiring such use, shall fail to agree upon the sum or sums to be paid, and upon rules and conditions to which each shall conform in using said bridge, all matters at issue between them shall be decided by the Secretary of War upon a hearing of the allegations and proofs of the parties; and equal privileges in the use of said bridge shall be granted to all telegraph and telephone companies.

The amendment was agreed to.

The next amendment was to add as a new section the following:

SEC. 7. That this act shall be null and void unless the bridge herein authorized shall be commenced within one year and completed within three years from the date hereof.

The amendment was agreed to.

The next amendment was to add as a new section the following:

SEC. 8. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

R. W. BARBER.

Mr. COCKRELL. I move that the Committee on Pensions be discharged from the further consideration of the bill (S. 516) for the relief of R. W. Barber, and that it be indefinitely postponed. The motion was agreed to.

#### BILLS INTRODUCED.

Mr. COCKRELL introduced a bill (S. 5574) granting a pension to Robert W. Barber; which was read twice by its title.

Mr. COCKRELL. To accompany the bill I present the petition of Robert W. Barber, Company F, Fifty-sixth Regiment Enrolled Missouri Militia, with the affidavits of Dr. J. H. Rider, Col. Casper Uhl, and Leon J. Albert, and the military record of the claimant. I move that the bill and accompanying papers be referred to the Committee on Pensions.

The motion was agreed to.

Mr. LODGE introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 5575) granting an increase of pension to Charles Brown;

A bill (S. 5576) granting an increase of pension to Thomas D. Brigham; and

A bill (S. 5577) granting an increase of pension to Martha W. Pollard.

Mr. FRYE introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 5578) granting a pension to Esther F. Moody (with an accompanying paper); and

A bill (S. 5579) granting an increase of pension to Robert M. Gustin.

Mr. BUTLER introduced a bill (S. 5580) providing for an additional circuit judge in the fourth judicial circuit; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. DANIEL (by request) introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 5581) for the relief of Lettie Myers; and

A bill (S. 5582) for the relief of C. A. Sprinkel.

Mr. KYLE introduced a bill (S. 5583) extending the time for the commencement and completion of the bridge across the Missouri River at or near Oacoma, S. Dak.; which was read twice by its title, and referred to the Committee on Commerce.

Mr. TURLEY introduced a bill (S. 5584) granting increase of pension to Mary E. Pillow; which was read twice by its title, and referred to the Committee on Pensions.

#### AMENDMENTS TO APPROPRIATION BILLS.

Mr. LODGE submitted an amendment providing for a board of three engineers to examine and report upon the advisability of continuing the improvement of the harbor of refuge at Sandy Bay, Cape Ann, Massachusetts, and providing that if the report of the board be favorable the improvement be placed under the so-called continuing contract system, intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

Mr. DANIEL submitted an amendment proposing to appropriate \$4,000 for grading and regulating Mossmore street from Erie street to Columbia road, in the District of Columbia, intended to be proposed by him to the District of Columbia appropriation bill; which was referred to the Committee on the District of Columbia, and ordered to be printed.

#### AGREEMENTS WITH COSTA RICA AND NICARAGUA.

Mr. MORGAN submitted the following resolution; which was referred to the Committee on Foreign Relations:

Whereas an agreement with Costa Rica and also with Nicaragua has been made with the United States in the following terms, viz:

*Protocol of an agreement between the Governments of the United States and of Costa Rica in regard to future negotiations for the construction of an interoceanic canal by way of Lake Nicaragua.*

It is agreed between the two Governments that when the President of the United States is authorized by law to acquire control of such portion of the territory now belonging to Costa Rica as may be desirable and necessary on which to construct and protect a canal of depth and capacity sufficient for the passage of vessels of the greatest tonnage and draft now in use from a point near San Juan del Norte, on the Caribbean Sea, via Lake Nicaragua, to Brito, on the Pacific Ocean, they mutually engage to enter into negotiations with each other to settle the plan and the agreements, in detail, found necessary to accomplish the construction and to provide for the ownership and control of the proposed canal.

As preliminary to such future negotiations it is forthwith agreed that the course of said canal and the terminals thereof shall be the same that were stated in a treaty signed by the plenipotentiaries of the United States and Great Britain on February 5, 1900, and now pending in the Senate of the United States for confirmation, and that the provisions of the same shall be adhered to by the United States and Costa Rica.

In witness whereof the undersigned have signed this protocol and have hereunto affixed their seals.

*Resolved*, That the Clayton-Bulwer treaty of July 4, 1850, gives no right to Great Britain to demand that the Congress of the United States shall withhold its ratification of said agreements or shall abstain from legislation to provide for their prompt execution.

2. That the ratification by Great Britain of the Hay-Pauncefote treaty of February 5, 1900, as the same has been amended in the Senate, is not a condition precedent to legislation by Congress in providing for the execution of said agreements with Costa Rica and Nicaragua; nor are the principles or provisions of the Clayton-Bulwer treaty, which was ratified July 4, 1850, any just or admissible ground of objection on the part of the Government of Her Britannic Majesty to the enactment of a law by Congress providing for the execution of such agreements with Costa Rica and Nicaragua.

#### COURTS IN MISSOURI.

Mr. COCKRELL. I ask unanimous consent for the present consideration of a very short bill, the bill (H. R. 10498) to create a new division in the western judicial district of the State of Missouri. It is a local measure, reported favorably with amendments by the Committee on the Judiciary, and it will take only a moment.

The Secretary read the bill; and, by unanimous consent, the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported from the Committee on the Judiciary with amendments.

The first amendment was, in section 3, on page 2, line 10, to strike out "except when court is in session and a judge present;" in line 11 to strike out "may" and insert "shall;" in line 12, after the word "kept," to strike out "as of the same court;" in line 13, after the word "performed," to strike out the words "as though the clerk were at Joplin;" and insert "except when court is in session at Joplin;" and in line 15, after the word "judge," to strike out "and the clerk," so as to make the section read:

SEC. 3. That the clerks of the district and circuit courts for the western district of Missouri, and the marshal and attorney of the United States for said district, shall perform the duties appertaining to their offices, respectively, for said courts of said southwestern division judicial district, and the clerk's office of the said courts shall be at Springfield, where all records of said courts may be kept and all duties performed, except when court is in session at Joplin; but should, in the judgment of the district judge, the business of said courts hereafter warrant a deputy clerk at Joplin, Mo., new books and records may be opened for the courts herein created, and kept at Joplin, and a deputy clerk appointed to reside and keep his office at Joplin.

The amendment was agreed to.

The next amendment was, on page 3, to strike out all of section 8, in the following words:

SEC. 8. That each of said courts shall be held in a building to be provided for that purpose by the county or municipal authorities, and without expense to the United States.

The amendment was agreed to.

The next amendment was, in section 9, page 4, after the words "nineteen hundred" to insert "and one."

The amendment was agreed to.

Mr. COCKRELL. The section should be renumbered, striking out "9" and inserting "8."

The PRESIDENT pro tempore. The clerks will do that.

The bill was reported to the Senate as amended and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

#### COURTS IN WEST VIRGINIA.

Mr. SPOONER. I ask unanimous consent—

Mr. HAWLEY. I call for the regular order.

Mr. SPOONER. I ask unanimous consent that the Senate proceed to the consideration of the bill (H. R. 953) to divide the State of West Virginia into two judicial districts.

The PRESIDENT pro tempore. The Senator from Connecticut demands the regular order.

Mr. COCKRELL and Mr. GALLINGER. What is the regular order?

The PRESIDENT pro tempore. The regular order is the call for concurrent and other resolutions.

#### PETITION OF FILIPINOS.

The PRESIDENT pro tempore. The Chair lays before the Senate a resolution coming over from a previous day, which is the regular order.

The Secretary read the resolution submitted by Mr. TELLER on the 10th instant, as follows:

*Ordered*, That the petition of certain inhabitants of the Philippine Islands, which has to-day been read in the Senate, be printed as a document, together with the names of the signers.

The PRESIDENT pro tempore. Will the Senate agree to the resolution?

Mr. STEWART. Mr. President, I am opposed to the printing of this petition, and I think it ought to be understood before the resolution is further entertained. The petition, so called, is a verbose, arrogant, untruthful recital of conditions in the Philippines. It is alleged in this document that a revolution broke out in 1896 in pursuance of grievous considerations, etc., and then it carries its history right up through as a continuous revolution. It then exclaims:

Who now will dare to affirm that independence was not contemplated when the revolution broke out?

Then it goes on to state what is quite important to be now considered:

Aguinaldo, the most prominent figure in the revolution, is the idol of the people, the constant object of their blessings and affectionate regard, because he understands the aspirations of the country, he strives unceasingly for her independence, he represents her highest ideals.

It is not true that that revolution has been in progress from 1896 until the present time. On the contrary, as to the same Aguinaldo who is their ideal, whom they set up as a model, who, they state, has been unceasingly struggling for liberty, the fact is—and it is a matter of history—that prior to Dewey's entering into the Bay of Manila the revolution of 1896 was compromised for money and Aguinaldo and his associates left the country, Aguinaldo stipulating, for gold coin, not to come back there again. He was an exile when Dewey entered the Bay of Manila. So the revolution was not continuous; and he is a pretty model of continuous exertion for liberty—a man who had sold out!

It is alleged that he went back on account of some agreement with the American officers. This he denies. He adds to the denial of Admiral Dewey and of General Anderson and General Merritt his denial. In a letter of instructions signed by Mabini, the president of Aguinaldo's cabinet, to certain secret commissioners, we find this:

The chief of the Philippine people has not made any agreement with the Government of the United States, but, inspired by the same idea of destroying the sovereignty of Spain in these islands, they have mutually assisted each other.

So, with the testimony of our officers unanimous, and the testimony of Aguinaldo through his cabinet minister, the chief of the cabinet giving official instruction to the commissioners, ought to be sufficient to settle that question.

So far as the United States are concerned, there has been no duplicity; but such is not the fact with regard to Aguinaldo and his followers. They do not come with clean hands. The whole substance of their petition is false, as shown by documents on file in the War Department.

The treachery of Aguinaldo and his associates is abundantly shown by the proceedings of a meeting held in Hongkong on the 4th day of May, 1898, four days after the battle of Manila Bay. A meeting of Aguinaldo's band was held to consider as to going



to Manila with Dewey, and Agoncillo stated the position of the adventurers in these words:

There will be no better occasion than the present for the expeditionary forces to land on those islands and to arm themselves at the expense of the Americans, and assure the attainment of our legitimate aspirations against those very people.

The Filipino people, unprovided with arms, will be the victims of the demands and exactions of the United States, but, provided with arms, will be able to oppose themselves to them and struggle for their independence, in which consists the true happiness of the Filipinos.

They went there and got arms for the purpose of betraying the American people. Then it is alleged that we made war on these unoffending people. The plan to attack us and make war upon the United States was most treacherously prearranged. Aguinaldo went to Manila in an American ship under false pretenses, and obtained arms from the United States under the pretense of friendship. The attack on the soldiers of the United States on the 4th of February, 1899, was not accidental, but premeditated. I will ask the Secretary to read the instructions issued by Aguinaldo himself. They are short.

The Secretary read as follows:

MALOLOS, January 9, 1899.

Instructions to the brave soldiers of Sandatahan of Manila.

ART. 2. All of the chiefs and Filipino brothers should be ready and courageous for the combat, and should take advantage of the opportunity to study well the situation of the American outposts and headquarters, observing especially secret places where they can approach and surprise the enemy.

ART. 3. The chief of those who go to attack the barracks should send in first four men with a good present for the American commander. Immediately after will follow four others who will make a pretense of looking for the same officer for some reason, and a larger group shall be concealed in the corners or houses in order to aid the other groups at the first signal. This, wherever it is possible, at the moment of attack.

ART. 4. They should not prior to the attack look at the Americans in a threatening manner. To the contrary, the attack on the barracks by the Sandatahan should be a complete surprise and with decision and courage. One should go alone in advance, in order to kill the sentinel.

ART. 7. All Filipinos, real defenders of their country, should live on the alert to assist simultaneously the inside attack at the very moment that they note the first movement in whatever barrio or suburb, having assurance that all the troops that surround Manila will proceed without delay to force the enemy's line and unite themselves with their brothers in the city.

EMILIO AGUINALDO.

Mr. STEWART. That is the way this so-called war began—first, by these Filipinos treacherously conspiring to get back there with Dewey as friends, and obtain arms, which they did, and, second, after they had obtained arms, their purpose was to use them against the United States. Before any aggression on the part of the United States had taken place deliberate orders were given to begin a treacherous attack, and to commence assassination with the arms which they had obtained from the United States.

Then, again, we find one of Aguinaldo's letters to a friend in Manila to get out of the city. His friends were all notified to look out. Here is one which I shall read:

MY DEAR DON BENITO:

I beg you to leave Manila with your family, and to come here to Malolos, but not because I wish to frighten you. I merely wish to warn you for your satisfaction, although it is not yet the day or the week.

Mr. SPOONER. When was that?

Mr. STEWART. The date of that letter is early in January, about a month before the attack. The attack was made on the 4th of February.

These people, who are represented as struggling for liberty, have deliberately betrayed the United States in every respect. The man who is their ideal sold out the rebellion against Spain for money, and left the country, agreeing not to return. In violation of that agreement, he obtained passage on an American ship, and obtained arms from American officers under the false pretense that he was their friend, while he was plotting and making arrangements during the whole time to make war against the United States.

This is not a petition. This is an arrogant defiance. They say they will have nothing short of independence; they will not tolerate the sovereignty of the United States at all, and that, even if they are subdued and compelled to submit, they will rise again at the first opportunity. Every possible threat which could be made against the Government of the United States is contained in this petition. If ever there was any argument needed in favor of the passage of this bill or any other bill the President may require to put down this armed rebellion, that petition and that defiance furnish the strongest argument, it seems to me.

The Army bill should pass, and pass speedily. Those who have betrayed our confidence, they have plotted the assassination of all of our people in those islands; they have carried on this guerrilla and bloody warfare in which so many of our soldiers have perished, and now can we as Americans afford to stand here and let them defy us, and say we will not stand by the Government? Meet that defiance and maintain the honor of the country.

It seems to me that the people of the United States have already settled the question. These matters were before them. They have demanded that the President should be sustained with whatever army is necessary to put down the rebellion, and even on the stump it has been necessary for the opponents of the Administration to say they were in favor of it also. They were first in favor of proceeding to establish order, but order can only be established by force. How can we dare to trust the honor of the Government, which is pledged by treaty to protect life and property in those islands—how can we dare to trust the lives of the friendly Filipinos and the lives of our citizens who may be there—to these people who demand independence, this treacherous class of acknowledged assassins who plot—and we have it on record here—how can we dare, I say, to hesitate to put down this rebellion and vindicate the honor of the country?

I think this petition ought not to receive any recognition. It does not come from citizens of the United States; it comes from rebels in arms, who declare that they never were and never will be citizens of the United States, and that if they are compelled to submit they will rise again; that they will, by assassination and treachery, or anything they can do, overthrow the authority of the United States; and now they come here to petition the United States authority which they despise, asking what? Asking us for immediate independence on account of their patriotism, which patriotism is false. The statements in regard to their patriotism are false from beginning to end. Their patriotism is a rebellion against all authority; their patriotism is treachery; their patriotism is a violation of faith, a violation of plighted honor, and they ask the Senate of the United States to surrender. This is simply a demand to surrender, though it is called a petition. That is all it is.

It comes from a people who are the most wicked conspirators of whom we have any knowledge, the most treacherous, by the record of their own proceedings, which comes from them, and they still deny the authority of the United States. Will the Senate submit to that, and decline to pass the Army bill? Will it yield to them? Such a surrender will not be indorsed by the people of the United States. The Army bill ought to be passed speedily. After this petition becomes generally circulated, there will be a universal demand on the part of the people of the United States that this rebellion shall be put down, that these traitors shall be subdued, and that the authority of the Government of the United States shall be maintained.

Mr. BERRY. Mr. President, I listened the other morning to the reading of the petition which it is proposed to print as a document for the use of the Senate. It seemed to me from the reading that it was couched in respectful language, that it was splendidly written, and that it represented the hopes and aspirations of the great body of the people of those islands. As I remember, it was said to be signed by numbers who were not in rebellion against the authority of the United States, even as defined by the Senator from Nevada [Mr. STEWART].

Mr. TELLER. None of the signers are in rebellion.

Mr. BERRY. None of them are in rebellion; but they are citizens who have submitted for the time being to the authority of the United States. They presented their case in a respectful way, and it is asked by a Senator that it be printed.

If the petition be untrue, then, Mr. President, it will have no great effect throughout the United States; but if you undertake to suppress it and keep it away from the people, you will make thousands of them believe that every word of that petition is true. I think you can not help the cause of the Filipinos better than for the Senate of the United States to show by its action that it is afraid to print a petition respectfully presented by so many people of those islands.

Mr. President, while I am on the floor, as I had intended to make a few remarks upon the amendment to the Army bill that is now pending, offered by myself upon yesterday, which represents my views of what the Senate should do, I will ask the Secretary to read the amendment I propose to offer, and I will make the remarks now which I intend to make on that amendment.

The PRESIDENT pro tempore. The Secretary will state the amendment proposed by the Senator from Arkansas.

The SECRETARY. It is proposed to insert at the end of the last section of the bill the following:

SEC. —. That within ten days after this bill shall become a law the President of the United States shall issue his proclamation declaring that the United States hereby disclaims any disposition or intention to exercise sovereignty, jurisdiction, or control over the Philippine Islands except for the pacification thereof, and asserts its determination when that is accomplished to leave the government and control of the islands to its people.

Mr. BERRY. Mr. President, that is the exact language which was contained in the resolution adopted by the Senate in regard to Cuba at the time the declaration of war was made. I confess that in presenting this amendment I have little hope that Senators who support the Administration will cast their votes for it, but I want to state that this amendment is offered in the utmost good faith, because I believe that if the Congress of the United States



would adopt that language as an amendment to this bill, within two months there would not be a single armed Filipino in rebellion against the Government of the United States. I believe that if that amendment was adopted we could reduce our Army to the minimum named in this bill, and that within three months there would be no necessity for even 50,000 soldiers. I believe that if we should adopt that amendment we would place the United States upon the highest plane of justice, humanity, moderation, and magnanimity, that we would place this Government where it was prior to the time when the mistake was made of inaugurating this war upon the Philippine people. There never has been a day since the close of the Spanish war when, if it had been announced by the President that he would recommend that course to Congress, the war would not have come to an end and a gun would never have been thereafter fired.

I am going to detain the Senate but a short time, but I want to state facts that are not denied and can not be. It has been frequently alleged during this session of Congress by Senators on the other side of the Chamber, and it was alleged on every stump and from every rostrum throughout the United States in the late contest, that the President of the United States, that the Administration was in no wise responsible for the war in the Philippines; that the President could have done nothing except what he did, and that the responsibility was on Congress if it was anywhere.

Mr. President, I think the statement is not borne out by the facts. On the 12th day of August, I think it was, the protocol was signed. There never has been a time in the history of this Government when the United States commanded so much of the respect of all the civilized peoples of the world; there has never been a time when it commanded so much of the love and affection of every citizen within the United States as it did on that day. We had engaged in war for the highest and loftiest purpose; we had gone to war pledging our sacred honor that it was not for conquest, but to make the people of Cuba free, as we ourselves are free. We had the most wonderful success and gained the greatest victories ever gained in the history of the world. Our people were proud—proud that we had made these sacrifices with the highest and purest motives, proud that it could not be charged that we made war on a weaker nation in order to gain territory or money; and from one end of this country to the other, from the North and the South, the East and the West, everywhere throughout the land, the United States had the affectionate love, the confidence, and the respect of every citizen in it. Such was the condition on the 12th day of August. What followed that, Mr. President?

Let us see whether or not this war could have been avoided. At the time the Paris Peace Commission was appointed no one ever thought or dreamed or spoke of holding any territory permanently, save and except the island of Porto Rico. There had been talk about a naval station or a coaling station in Manila, but no man at that time ever contemplated that it was the intention or the purpose of the United States to keep those islands permanently; but by and by that element of American politics which have recently become so powerful, who claim to especially represent commercial interests—the great combinations of wealth, many of whom place money above truth, justice, honor, and fair dealing—began to start the cry that if we could hold the Philippine Islands we could open up the markets of Asia; that it would increase our trade, and would add largely to our wealth. They began also to say that Porto Rico would not reimburse the United States for the money we had expended in the Spanish war, and therefore we must take the Philippine Islands.

I will do the President the justice to say that at first he resisted the demand; I will do him the justice to say that he did not desire to do what he has since done; but as time went on, we have the statement on the authority of the Senator from Maine [Mr. FRYE], who made it in open session here, that that commission was first instructed not to take any of the islands except the island of Luzon; but afterwards, as I said, this element in our politics brought their influence to bear upon the Administration, and, in an evil hour for this country, the President yielded to that influence and instructed his commissioners to take all of the islands. That is the history of the transaction.

It is said that the President is not responsible. Does any man suppose that his agents, the men he sent there, would have taken a single step of which they did not inform him and which did not meet his approval?

The next demand was that we should take the entire archipelago, and we paid \$20,000,000 for it. The people of the Philippine Islands were, at the beginning of the Spanish war, in the same situation as the Cubans. They had been held in bondage by Spain; they had suffered the same outrages and the same oppression for hundreds of years.

They, like the Cubans, had again and again made a struggle for freedom, which was overcome and subdued, or there had been compromises on condition of rights being granted, and they yielded; but when they heard that the greatest Government in

the world, a Government founded upon the principle that every people have the right to be free, was engaged in a war with their oppressor, with their master, with that country which they had hated for so many years, and that this great Government was going into that war for freedom and not for conquest, in order to make them a free and independent people, the Filipinos naturally believed that they in that struggle would have the same rights as the Cubans.

Can any Senator tell me to-day why they should not have? Admiral Dewey, General Merritt, General King, and every man who testified before the Paris Commission said that the Filipinos were more intelligent, better organized, and more competent to be a free and independent people than were the Cubans. If they were, if we were willing to give our money and the blood of our citizens to make the Cubans free, can any man tell me why we should not have given the Filipinos freedom when it cost us neither money nor blood to do so? It is a question which has never been answered.

If we were justified in going to war to free the Cubans, how can we justify ourselves in refusing, when it is in our power, to free the Filipinos? They hoped for it; they believed that they would have the same freedom in the same way as the Cubans, and they had a right to believe so. But if there was a lingering doubt amongst any one of the Filipinos, that doubt was removed when Admiral Dewey sent for Aguinaldo and the leaders, put them upon one of our Government ships, furnished them arms, and made them our allies in the fight; and so animated by hope were those people that within a very short period of time they had organized an army of 50,000 men, with the hope of liberty so long withheld and so strenuously fought for by them. They believed, as all brave people believe, that they were entitled to be free and that their aspirations were about to be accomplished; and so they drove the Spaniards from every foot of soil in the Philippines, save and except Manila.

But when the Paris commission met, when it began to be whispered abroad that the people of the United States were not going to deal with them as they dealt with Cuba, they naturally became anxious, they became suspicious, they became doubtful. They sought in every way to ascertain the purpose of the United States.

The Senator from Massachusetts [Mr. HOAR] read here the other day the statement of a general officer, I think it was, who testified that he promised Aguinaldo, in the presence of Admiral Dewey, that they should have an independent government. So when it began to dawn upon them that there was doubt about it, that the freedom for which they had so long struggled was to be taken away when they thought it was already in their grasp, it was natural that they should want to ascertain the truth about it, that they should become suspicious as to whether or not it was simply a change of masters for them.

So they sent a man to this city. He was refused admittance into the White House. He was refused admittance into the office of the Secretary of State. He came to state his case. They refused to hear him, as the Senator from Nevada would refuse to hear the petition of these people now. They not only did not hear him, but later on, when the newspapers threatened that he would be court-martialed and shot, he absolutely fled the country in fear of his life. That is the history of it. He came here, and the President did not receive him. If I misstate the fact, and the Senator will say it is not true, I will correct it.

What followed then? In this strained condition and strained relation, when they found that these men had made the treaty of Paris, while hostilities did not begin, yet, as I said, they were anxious to know, and after the treaty was made in Paris, but before it was ratified by the Senate, the President of the United States undertook to answer that demand. He thereupon issued a proclamation dated sometime in December, I think the 28th, but I am not sure, in which he asserted sovereignty of the United States over these islands and used such language that General Otis said if it went to the Filipinos in that condition it would produce a revolt, and he took the responsibility of striking out part of the President's proclamation.

Now, as to the responsibility. I assert here to-day, and I believe that intelligent men everywhere so believe, that if the President had put three lines into that December proclamation, in which he had said, "I shall recommend to the Congress of the United States that you be treated in the same way that we promised to treat the Cubans," no gun would ever have been fired, and all the murders and the burnings, the deaths that have come to that people and to our people, would have been avoided. There was the turning point as to whether we should have peace or war. There was the President of a Christian nation called upon to speak a word one way or the other. If he asserted absolute authority, it meant war. If he asserted that we believe in independence and that they should be treated in the same way that we treated another people less competent for self-government, then it meant peace; and as I said before, while the President did not want to do it, I will do him the justice to say that what he did he did most



reluctantly, but the element that pulled him was too strong for him to resist, and unfortunately he did do it.

Now, what has been the result? We were told two years ago just about this time by Senators on the other side of this Chamber, by a few of them publicly and by many of them otherwise, that when the treaty was ratified, we would declare that it was our purpose thereafter to make those people free and independent. We were told also that when the treaty was ratified peace would come. We were told, and told in the Committee on Appropriations, if I am not mistaken, that 10,000 soldiers would be ample for the Philippine Islands; and yet to-day, almost two years after the ratification of the treaty, the Senator from New Jersey [Mr. SEWELL] tells us that he can not see the end of the war, and that these soldiers may be needed for a longer period than he is willing to name. The Senator from Massachusetts [Mr. LODGE] tells us that within five years he thinks the number may be reduced to fifteen or twenty thousand, but he would not pledge his word for that.

Here to-day, in the face of all you promised, and in the face of all that we predicted, you have come and asked for a permanent army of a hundred thousand men to levy upon this people the burdens that come from a great standing army. "Oh, but if you make this promise of free government," the Senator says, "it will be taken as an act of cowardice." Mr. President, I believe that the United States is big enough and strong enough and broad enough to treat with contempt and to despise any insinuation that we could be affected by an act of cowardice anywhere. The whole world knows that we can exterminate the Filipino people. There is not a doubt in an intelligent mind anywhere as to that. No outside nation is pretending that it may interfere. Then why, through the fear that some one may say that we have conceded something by making this promise for the future, should we hesitate when we know that we could not be moved or be actuated by fear.

Mr. President, I have in what I have said to-day no political purpose, but I believe it to be the solemn duty of every man who sits on this floor to raise his voice and cast his vote against bloodshed and war where peace can be secured in honor.

No man in the United States would go further if I thought the honor of this Government was involved, but what honor can come from pursuing a helpless people, men who at least aided us in the war with Spain, who had never harmed us. Yet for fear that some one may say that we are moved by fear of those people, who are already helpless, shall we permit the pursuit to go on; shall we continue to hunt down that helpless people; shall we continue to send our young men there to fall by the bullets of those we are seeking to conquer, or to die in the malarial swamps of that far-off country?

We are told that it is too late. We are told that when the treaty was ratified that ended it. I repeat that those who favored the treaty stated then that it would be left to the Congress. I did not vote to ratify the treaty, and upon one occasion I said that I did not believe you intended to make this people free. Therefore I opposed the treaty in every way it was possible. Yet they tell us it is too late. Mr. President, it may be too late to recall the sorrow and the suffering and the murders and the burnings and the infinite horrors that have transpired in those far-off islands. It may be too late to call back the young men who went forth from our land to fight that battle, and who lost their lives either in battle or in the swamps. It may be too late for that, but it is not too late, I insist, to save further bloodshed and further horror.

It is not too late to bring this great Government of ours back to the high pinnacle upon which it stood in the past. It is not too late to say we yet believe that all people have a right to be independent and free and to govern themselves. It is not too late to disentangle ourselves from alliances that will bring wars, perhaps for fifty years to come; and, so far as I am concerned, I would gladly vote for any promise consistent with honor that would bring peace and bring our soldiers home. This is not only consistent with it, but it is absolutely in line with what we promised the Cubans. It is absolutely in line with what the Filipino people believed and had a right to believe we had promised them.

I therefore appeal to the American Senate, let us make at least one effort to stop the horrors of this unjust war and to remove the stain, as I believe, that has been placed upon the fair name of this Republic.

Mr. LODGE. Mr. President, the body of the petition, which does not seem to me to be of very great importance, and I do not think it adds materially to the sum of misinformation in regard to the Philippines, although it may, has been printed in full in the RECORD, and such portions of it as the newspaper press has thought desirable to print has been printed by the newspapers. It can not get any additional publicity by being printed as a Senate document. The question really is whether we want to print the 2,000 names. Those are a good many names, although they are an inconsiderable fraction of the population of Manila, which is something like 400,000; but the printing of names is very unusual. We occasionally print a few names by special permis-

sion of the Senate, but to print a large body of names, which is all that this resolution calls for, is an unusual thing, and ought to be submitted to the proper committee. I do not know whether these names are important or not. We have no statement in regard to it except from those who brought it here. I think it would be well to have the committee look into it and see whether it is desirable to depart from our usual practice in that respect. I therefore move that the resolution be referred to the Committee on Printing.

Mr. TELLER. I do not desire to discuss the resolution at the present time, but I object to its going to the Committee on Printing. If the Senator will move to refer the resolution to the committee of which he is chairman, I will not object.

Mr. LODGE. Very well, Mr. President. I withdraw the motion I have made, and move that it be referred to the Committee on the Philippines.

Mr. TELLER. I desire to add to what I have just said that I shall expect a report from that committee on the propriety or impropriety of printing this document, and if I do not get it, I shall know how to get this question again before the Senate. Now I am willing to have it referred.

Mr. HAWLEY. I understood the Senator from Colorado virtually to consent that this subject might go over until the Army bill should be disposed of.

Mr. LODGE. Let the resolution be referred.

The PRESIDING OFFICER (Mr. CARTER in the chair). Without objection, the resolution will be referred to the Committee on the Philippines.

Mr. HAWLEY. To what committee?

The PRESIDING OFFICER. The Committee on the Philippines.

Mr. LODGE. That is where the petition went.

The PRESIDING OFFICER. The Chair hears none, and the resolution will be so referred.

#### THE MILITARY ESTABLISHMENT.

Mr. HAWLEY. I move that the Senate proceed to the consideration of the Army bill.

The motion was agreed to; and the Senate resumed the consideration of the bill (S. 4300) to increase the efficiency of the military establishment of the United States.

Mr. PETTUS. Mr. President, yesterday evening, in a hot debate which took place about the close of the Senate's proceedings, the Senator from Montana [Mr. CARTER] stated, in reference to the measure now under consideration:

It is reported here by the unanimous report of a committee composed of members of both political parties.

There is only one part of the statement to which I desire to call the attention of the Senate, and that is the word "unanimous." The Senator from Montana was utterly mistaken in that proposition. I suppose it arose from the fact that when the occurrence took place he may have been absent from the committee, but all the other members of the committee, I am sure, will know that it was not reported by the unanimous consent or the approval of all the members of the committee, because there were several members of the committee who gave notice to the committee, when the committee was in session, that they would not support the measure, but would vote against it.

I do not desire to discuss this question now at all, Mr. President. I have not engaged in the discussion at all and I do not desire to do so now, except to say that a large standing army in a republic is the greatest threat to the liberties of the people of that republic that can be made by mortal man.

Mr. BATE. Mr. President, I desire to join in the statement made by the Senator from Alabama [Mr. PETTUS] in regard to how the committee stood on this question. I will not give any particulars except to correct the statement made by the Senator from Montana. I have heretofore twice during the running debate stated how I stood on this question. The present occupant of the chair was mistaken yesterday evening in his statement in regard to myself, at least, and some of the other members of the committee. I was opposed to the bill, and I wish to let it be known that I was, and I know of some others who were. They can speak for themselves in regard to it. I wish it to appear upon the RECORD that I occupied that attitude with respect to the bill.

Mr. COCKRELL. Mr. President, I hope the Senator from Montana will make the correction in the RECORD, because it was certainly distinctly and clearly understood that there were four members of the Committee on Military Affairs who would not vote for the bill. I know for one that I stated to the committee distinctly time and again that I would not vote for the bill on its final passage; that I would do all I could to perfect the bill from the standpoint of the majority view of it, that is, a hundred thousand men, and I labored in committee with that view in end. I say now that from the standpoint of a hundred thousand men I think the bill was in as good shape as it was possible for the committee to get it. I stated that in the committee and I state that to the Senate now.

I do not want to consume any time in the discussion of this question. I have tried to avoid it. I regret that the Senator from Montana made the statement he did, because it does us great injustice and places us in a false position. I intend to vote against the bill. I have said that openly. I have said it in committee. I have said it elsewhere. I desire to say further, as I said a moment ago, that from the standpoint of the majority, I think the bill was in as good shape as it was possible to make it. I think too much time has been taken up in the discussion of questions which related purely and essentially to individuals. I opposed them when some of them were added by the committee. I think a great deal of unnecessary time has been taken up. I believe it is the duty of Congress to pass this bill as speedily as it can, after proper discussion, because we are under obligations to our volunteer soldiers there to muster them out on the 1st of July, 1901, and there is not sufficient time now to get those soldiers home with the transports we have and get them discharged before that day arrives. As a matter of course the Government may hire at an enormous expense additional transports and get the soldiers home in that way, but with the transportation facilities that we have it will be difficult, if not almost impossible, for them all to be brought home and discharged by that time.

I do not believe in the principle of this bill at all. I do not believe in a large standing army. I am not going to enter into the discussion of that question, and I hope this will not be considered a challenge to discussion. I believe the war in the Philippines is absolutely unnecessary; that it could have been avoided in toto from beginning to end; that very great blunders were made in the protocol of August 12, 1898; in the instruction of the President of October 28, 1898, to his peace commissioners to demand of the Spanish the cession of the imaginary sovereignty of the Philippine Islands; in the treaty of peace that was made by the President, in which Spain was made, helpless and powerless as she was, to cede the imaginary sovereignty and jurisdiction of those islands.

A great mistake was made in the order of the President of December 21, 1898, commanding General Otis to extend the military authority existing in Manila, its bay and harbor, to the actual occupation of all the islands as speedily as possible. That was the order to which the Senator from Arkansas [Mr. BERRY] referred, which General Otis refused to issue, frequently referred to as the "benevolent-assimilation order." General Otis refused to issue that order. It was the first time, I believe, in the history of this country when a commanding general refused to issue the order of the Commander in Chief, the President of the United States. General Otis issued his own order, and in that order of General Otis he copied only the benevolent-assimilation paragraph of the President's proclamation, and went on and told the Filipinos what he believed.

I believe the whole matter could have been settled easily and without the shedding of blood or the expenditure of millions of money. I believe that when Congress declared that the government of the island of Cuba should be left to the people we thereby declared a principle to govern, to guide the President; and on the 12th day of August, 1898, I believe the conditions existing in the Philippine Islands were ten times more favorable for the independence and success of the Filipinos in establishing an independent government than ever the condition had been in Cuba. I believe that the President knew this, and that therefore he made a great mistake when he did not say to Spain, "Relinquish your authority in Cuba, relinquish your authority in the Philippine Islands, cede to us Porto Rico, and the war is over." That would have been the end of the war, for Spain lay at our feet as helpless as an infant in its mother's arms, and she would have been compelled to accept whatever the President offered.

Mr. President, I am not going to enter into the discussion of this matter. I am simply giving my views and stating why I shall vote against the bill. I do not care to discuss it any further.

Mr. SEWELL obtained the floor.

Mr. CARTER. Will the Senator from New Jersey permit me?

Mr. SEWELL. Certainly.

Mr. CARTER. The Senator from Missouri and his colleagues will observe that the discussion yesterday afternoon related to the Army reorganization. I said at that time, in reference to this bill, what follows:

It is the best effort that could be made upon a scientific basis to present a bill for the reorganization of the Army of the United States.

I presume it is not in order to state what occurred in the committee, and I shall not pretend to state it, except to the extent that the statement may be necessary in order to set Senators aright in reference to any implication to be drawn from the word "unanimous." There was not, as far as I could perceive, at any time any disposition to delay the consideration of this bill in the committee. There was a helpful spirit of cooperation extending throughout the entire period of the laborious work of the committee on the bill. In so far as the bill relates to Army organization, I think it presented the best thought of the committee without any reference whatever to partisanship. It is true that in so

far as the organization goes there was no division in the committee. Certain Senators, however, did reserve the right to vote against the bill, it being clearly and distinctly stated that those Senators took exception to the size of the Army, but not to the scheme of organization. From that point of view, the word "unanimous" ought not to be used. It should be modified to conform to the fact.

No minority report was presented, nor was there any opposition to the reporting of the bill nor any opposition to its rapid consideration. There was an agreement upon the scheme of organization and the reservation in the committee by the Senators who have so stated this morning and by others, I believe, of the right to vote against the size of the Army. I cheerfully make this statement.

Mr. PETTUS. I desire to call the attention of the Senator from Montana, before he takes his seat, to the fact that members of the committee, in committee, gave notice that they would vote against the bill.

Mr. CARTER. I have so stated.

Mr. BATE. Not stating why.

Mr. CARTER. I wish to be understood as stating that. I have stated that in committee members of the committee reserved the right to vote against the bill.

Mr. BATE. I think the Senator must be mistaken a little, because some of us, I know, reserved the right to vote against the bill without giving any special reason, except broadly. It was not stated whether it was because we were against the organization or the scheme or anything else, but because of general objection to the bill. Two or three of us did that.

Mr. SEWELL. Mr. President, I was very glad to hear the statement of the Senator from Missouri with respect to his position, which was as I understood it. He took a laborious part in the framing of this bill. He did everything he could to make it conform to the usages and arts of war and the regulations. But I understood at all times that he would vote against the bill when it was perfected. The bill was framed not on the basis of an army of a hundred thousand men. It was framed on the basis of a permanent army of fifty or sixty thousand men, with a flexible authority in the President to increase or decrease it above or below that number.

It was argued on the floor that it was a bad precedent to give the President authority in matters of this kind. I wish to bring to the attention of the Senate what appeared in the RECORD of a few days ago when the bill was under consideration in the House. I refer to the authorities for such action.

The President of the United States was authorized, "in the event of a declaration of war against the United States, or of actual invasion of their territory by a foreign power, or of imminent danger of such invasion, discovered, in his opinion, to exist, before the next session of Congress, to cause to be enlisted and called into service a number of troops not exceeding 10,000," etc.

On July 16 of that year, 1798—there was no war then—the President was given a discretionary authority "to raise, in addition to the present military establishment, 12 regiments of infantry and 6 troops of light dragoons, to be enlisted for and during the continuance of the existing differences between the United States and the French Republic, unless sooner discharged."

In March, 1799, it was declared lawful for the President of the United States, among other things, "in case imminent danger of the invasion of their territory by any power shall, in his opinion, be discovered to exist," to organize 24 regiments of infantry, besides riflemen, artillerymen, and cavalry; and he was allowed, when it appeared expedient, during the session of the Senate or in their recess, to appoint their officers.

Again, in the year 1800, May 14, when we were not at war, the President was authorized to suspend further military appointments.

Again, March 16, 1802, he was authorized, when he should deem it expedient, to organize a corps of engineers.

Again, in 1803, March 3, he was authorized, whenever he should judge it expedient, to require the executives of such of the States as he might deem expedient, and from their local situation most convenient, to take effectual measures to organize, arm, and equip, according to law, and hold in readiness to march at a moment's warning, a detachment of militia not exceeding 80,000 men, officers included.

Again, January 2, 1812, he was authorized, when he should have satisfactory evidence of actual or threatened invasion of any State by any tribe or tribes of Indians, to raise, either by the acceptance of volunteers or by enlistment for one year, as many companies as he might deem necessary, not exceeding six, as rangers.

Again, January 29, 1813, it was provided by Congress that there should be raised such number of regiments of infantry, not exceeding twenty, as, in the opinion of the President, may be necessary for the public service, to be enlisted for one year, unless sooner discharged.

Again, in 1833, June 15, the President was authorized to raise,



by the acceptance of volunteers or by enlistment for one year, 600 mounted rangers, as the nature of the service may, in his opinion, make necessary.

Again, May 23, 1836, he was authorized to accept volunteers, either infantry or cavalry, not exceeding 10,000 men, to serve six or twelve months after they arrived at the rendezvous.

Again, May 13, 1846, there was the following enactment by Congress:

That the President of the United States be, and is hereby, authorized by voluntary enlistment to increase the number of privates in each and any of the companies of the existing regiments of dragoons, artillery, and infantry to any number not exceeding 100, whenever in his opinion the exigencies of the public service may require the same; and to reduce the same to 64 when the exigencies requiring the present increase shall cease: *Provided*, That said enlistment shall be for the term of five years and no longer, unless sooner disbanded by the President.

Now, Mr. President, these are precedents for the mode of organization proposed by this bill. The last one particularly is an exact precedent. It was the intention of the committee and men like myself who make some study of war that the bill proposed should be for an army of 55,000 or 60,000 men, and that that should be the Army of the future, and that pending the present emergency the President should be authorized to increase it. The organization is for that Army; the officers are for that Army; the field and staff are for that Army. The increase is simply the increase of privates from 54,000, or whatever number is fixed, up to 100,000, which makes an increase of about 40,000 men. The machinery is there, and is not too much. There are not enough staff officers nor enough officers generally for 100,000 men, but the committee concluded that we would get along with a permanent organization of from 55,000 to 60,000 men, and enlarge it by private enlistments whenever the President determined to do so during the present exigency.

I want to say that there are to-day in Manila 70,000 men, the number being about equally divided between volunteers and the Regular Army. There are in China about 1,500; in Cuba, 5,500; in Porto Rico, 800; and on home service, about 16,000. A great many of our posts and forts are denuded and abandoned. Along the coast we have to show, for an expenditure of \$84,000,000, a series of guns which are not at all taken care of at the present day, simply because the troops are not there to do it.

We passed in the act of March 2, 1899, a clause obliging the muster out of not alone the volunteers on the 30th of June, this year, but of the Regular Army down to 29,000 men. I have no doubt at all but that some kind of a bill will be passed, and this bill will probably be passed, but what I desire to impress on this body is the necessity for doing it now, not haggling on little private measures, as we did about the Paymaster or Commissary General yesterday.

We have discussed the question enough, I should think; particularly the preliminaries of the different organizations. The pending measure, which, I believe, is the amendment of the Senator from Georgia, is disposed of by the very precedents that I have just read, showing that there is nothing new in giving the President of the United States the authority to enlarge or decrease the number of enlisted men, or an army, if you choose, and it has never been abused, nor is it likely in this case to be abused.

Of the 70,000 men who are in the Philippines, 35,000 of them—35 volunteer regiments and more—no matter what act you pass in order to carry out the law, will have to be mustered out in this country by the 30th of June. If you went on further and required the President to muster out about 20,000 regulars there, it would make 70,000 volunteers who would have to cross the sea, going and returning, and 40,000 regulars, and it would be a physical impossibility to do it except at an enormous cost. We would have to draw on Europe for ships, at high rates, and probably would have to buy them, as we did before.

The necessities are great. There is no reason for delay that I can possibly see. The bill ought to be passed. We can not do this work—we can not recruit men and send them there to take the place of those who have got to be brought back—in less than five months. Every day is precious.

So, Mr. President, I think I am within the bounds of reason and parliamentary usage when, under the circumstances, I move to lay the pending amendment on the table.

The PRESIDING OFFICER. The Senator from New Jersey moves to lay the pending amendment on the table.

Mr. BUTLER. Let it be read.

The SECRETARY. On page 17, line 12, after the word "President," insert:

During the present exigencies of the service.

So as to make the proviso read:

That the President, during the present exigencies of the service, in his discretion may increase the number of corporals in any troop of cavalry to 8 and the number of privates to 76.

The PRESIDENT pro tempore. The Senator from New Jersey moves to lay the pending amendment on the table.

Mr. BACON. Mr. President, yesterday afternoon I gave notice

that I had not completed my remarks. I do not know whether the Senator from New Jersey knew that fact or not. If the Senator, with knowledge of that fact, now makes the motion, I shall not ask him not to make it.

Mr. SEWELL. I will say to the Senator that I had no knowledge of the fact. Several gentlemen spoke after the gentleman from Georgia yielded the floor, and I had no idea that he wanted to take the floor again.

Mr. BACON. I beg pardon, then, for the remark I made.

Mr. SEWELL. I suppose the pending is the Senator's main amendment, but he has divided it up so as to apply it to the different organizations.

Mr. BACON. Yes, sir.

Mr. SEWELL. I shall move to lay them all upon the table.

Mr. BACON. I have no objection to the motion being made at that time.

Mr. SEWELL. If the Senator desires to go on and address the Senate at present, I will cheerfully give way.

The PRESIDENT pro tempore. The Senator from New Jersey withdraws his motion to lay the amendment on the table.

Mr. BACON. As the Senator was not aware of my purpose to address the Senate, I beg to apologize for whatever may appear to be hasty in what I said.

The PRESIDENT pro tempore. The Senator from Georgia will proceed.

Mr. BACON. Mr. President, the amendment as now offered by me was offered upon the statement then made that it would be acceptable to the committee, and I presumed that it would be adopted without objection.

As I stated yesterday, this amendment was not satisfactory to me, but as it went some way in the direction of the correction of the evil that I recognized in this bill, I determined to accept that much if I could not get more. But since that time the Senators who then signified their assent and the assent of the committee have stated in the Senate that they would not support this amendment. Therefore there is no inducement to me to have the amendments in this shape, and I shall withdraw these amendments and insist upon the original amendment which I offered, which was to strike out these several clauses. I ask that the amendment may be restored to the position in which I originally offered it. I trust the Senate understands why I make the change.

The PRESIDENT pro tempore. The Senator from Georgia withdraws the three amendments which he has offered and offers an amendment, which will be read.

Mr. BACON. It is the same that was originally offered by me, to strike out the authorization of the President to increase each one of the three branches of the service.

The PRESIDENT pro tempore. Does the Senator desire to have the amendment read?

Mr. BACON. Possibly it may be well to have it read.

The PRESIDENT pro tempore. The Secretary will read the amendment which the Senator from Georgia now offers and which is before the Senate.

The SECRETARY. On page 12, in section 2, beginning in line 17, strike out the following:

*Provided*, That the President, in his discretion, may increase the number of corporals in any troop of cavalry to 8, and the number of privates to 76.

On page 16, section 3, beginning in line 13, strike out the following:

*Provided*, That the President, in his discretion, may increase the number of privates in any company of foot artillery to 85, and the number of privates in any battery of field artillery to 133.

And in the same section, beginning in line 19, strike out the following:

*And provided*, That the enlisted strength of each company of foot artillery or battery of field artillery may be fixed, under the direction of the Secretary of War, according to the requirements of the service to which it may be assigned.

On page 19, section 6, beginning in line 4, strike out the following:

*Provided*, That the President, in his discretion, may increase the number of sergeants in any company of infantry to 6, the number of corporals to 10, and the number of privates to 127.

Mr. BACON. Mr. President, the three amendments which I have offered relate to the sections or clauses of the bill under which the President is authorized in his discretion to increase the Army from some fifty-odd thousand men to about 100,000 men, and it is to the general proposition that I have addressed my remarks and upon which I desire to add a few words. I have no disposition, Mr. President, to unduly detain the Senate, and certainly I will not do so. I would not add to what I have already said were it not that some things have been said in the debate which possibly require that I should do so, and in so doing what I shall say will be necessarily somewhat irregular in point of arrangement.

Before proceeding to the discussion of the main question, which I think is made necessary by some things which were said on yesterday, I wish to comply with the promise which I made to the

Senator from Wisconsin [Mr. SPOONER] that I would give the reasons why I thought that even the minimum number of men named in the bill was more than were required for the needs of an ordinary time.

I understand, of course, Mr. President, that the provision for a minimum is intended to apply to a normal condition of peace, and that the maximum is intended for an abnormal time. It is with that understanding that I repeat what I said yesterday in response to the suggestion of the Senator from Wisconsin as to what my attitude was with reference to this matter, that I think that is too great for the normal condition.

The President of the United States in his message says that the fortifications, the coastwise defenses, will require about 18,000 men. I repeat, as the Senator from Wisconsin may not have heard me—I noticed he was engaged at the time—that my estimate of the number of men required for the minimum is the estimate which I understand to be required for a normal time of peace, and therefore it is upon that basis that I make the estimate which I now state.

If 18,000 men or thereabouts are all that are required for the coastwise defenses, with a total of 58,000 as the minimum, it would leave some 40,000 men for the other needs of the country in times of normal conditions of peace. Of course, I have no reference to the Philippines or to Cuba. I have reference to the part of the country which we have always been accustomed to call the United States. I say, Mr. President, that there is no possible requirement that I can understand for that number of men outside of the coast defenses. We do not need as large a standing army for the interior defenses as we formerly did, because the dangers from Indians have very largely decreased and almost entirely disappeared. Of course, it requires some troops, but few in comparison with what were required in the former time.

But, Mr. President, it is not upon my own estimate alone that I stated to the Senate on yesterday that I regarded the minimum as too great, but I was guided by the action of this body in the last session, and by the statements of the Senator from Vermont [Mr. PROCTOR] made at this session relative thereto. In the last session, having no reference to the Philippine Islands or Cuba and having reference to our own domestic requirements, this body passed a bill for an increase of the Army, which was deemed necessary for these domestic purposes.

Mr. WARREN. Mr. President—

The PRESIDENT pro tempore. Will the Senator from Georgia yield to the Senator from Wyoming?

Mr. BACON. With pleasure.

Mr. WARREN. I should like to ask the Senator from Georgia where he gets the information upon which he makes the statement that the bill which was reported from the committee and passed was thought to be sufficient at the time?

Mr. BACON. I will do so with pleasure, and I was proceeding to do so. The bill which we now have before us, and which is sought to be displaced by the substitute which was sent to us from the House, and as amended by the Military Committee of the Senate—the original bill—is the one I speak about. It is on the Senator's desk now. That bill, having in view the requirements for our own domestic affairs, added to the Army which would exist at the expiration of the present term of service, July 1, of the men who were enlisted two years ago, 5,000 men as the number which would be required.

The number to which the 5,000 was added was about 29,000, and the 5,000 added makes 34,000. So that here was the action of the Senate, under the suggestion of the Military Committee of the Senate, solemnly adjudging that so far as our own needs were concerned, and without reference to Cuba or the Philippine Islands, the 5,000 men were those which were required to be added to the regular military establishment of 29,000 men in order that we might not only meet the other requirements inside of this domestic territory—if I may use that phrase—but also to add the needed number for the coastwise defenses.

Mr. PROCTOR. Mr. President—

Mr. BACON. If the Senator from Vermont will just pardon me a moment, he may correct anything he may wish in the statement which I will make relative to himself, which I propose now to do.

When the present bill came before the Senate last week, and the Senator from Vermont was upon the floor explaining the provisions of the bill, I asked him if the Military Committee still considered that the 5,000 men which were provided for in the bill was the number required to be added on account of the additional force called for by our coast defenses, and the Senator from Vermont responded in the affirmative. Now, it is upon those bases that I say that outside of the Philippine question and the Cuban question the Army ought not to be over 34,000 men, or thereabouts. Now, I will yield to the Senator from Vermont with pleasure.

Mr. PROCTOR. Mr. President, I do not recall the discussion of last winter, but in the most elaborate statement I have made here on this bill I tried to make it very plain that the minimum

of 54,000 would be needed at all times, in times of peace. I stated the needs of Alaska, which had never existed until within a few months and were liable to be increased. A regiment is there now. With Hawaii, Porto Rico, and the increase of the artillery, I said 54,000 as a minimum was the least that could safely be authorized.

Mr. BACON. I did not intend to represent the Senator otherwise. I simply said that the Military Committee, when it passed the bill at the last session, thought that the addition of 5,000 men was all that was required on account of the coastwise defense for the artillery arm of the service, and not representing that the Senator had said that that was all that was required for the size of the Army. I had asked him the question during this debate, on the first day of it, last Thursday a week, whether the Military Committee was still of the opinion that the addition of 5,000 men was all that was required on account of the artillery arm of the service called for by reason of the coast defenses, and the Senator had said yes.

Mr. PROCTOR. Mr. President, that addition is substantially the same so far as the artillery is concerned that is made in this bill. There is an addition of only five regiments.

Mr. BACON. I understood that fact. I am simply explaining that the Senator from Wisconsin [Mr. SPOONER] yesterday had said that he did not understand even myself as objecting to the minimum which was expressed in this bill for the Army. I had replied to him that I did object, and that when an opportunity offered I would give the reasons for the objection and for the opinion which I had that even the minimum was too great, and I still think so. If we allow the estimate made by the President of the United States to be the correct estimate, and I know of nothing to the contrary, that it will require 18,000 men properly to man our seacoast defenses, 17,000 men in addition thereto, in my opinion, are ample for all the needs of the Government outside of the abnormal demands of the Philippine Islands and of Cuba. I think it will be difficult to state wherein the demands of the Government, outside of these abnormal demands of which I speak, will require exceeding that number of men.

Mr. BURROWS. Mr. President, will the Senator from Georgia yield to me for a moment?

Mr. BACON. With pleasure.

Mr. BURROWS. The Senator states very properly that the Secretary of War and the President of the United States recommend and estimate a force of 18,420 men for coast defenses. Has not the Senator overlooked the fact that the Secretary of War and the President also state that it will require 26,000 men to man our posts? There are 105 of them throughout the country, and they say that number is needed for that purpose.

Mr. BACON. To man our posts? I should like to know for what purpose any large force is required to man our posts in the interior of the country. In former years when we had hostile Indians, of course it was important that the posts on the frontiers should be manned by a fighting force, and it is necessary now that there should be a reasonable force in order that there may not be a recurrence of Indian hostilities, but there is need of a very much reduced force. But is it necessary, because the Government has scattered through the country here and there a military post, that we should have a large standing army to man those posts, when a company of men in each one of them is sufficient to take care of the property and to represent the authority of the Government at those posts? I take issue with such contention, Mr. President.

Mr. MONEY. If we must have troops just to man the posts it would be better to burn down half of them.

Mr. BACON. I will not say that. The Senator can say it.

Mr. MONEY. I say it.

Mr. BACON. I would not go quite to that extreme; but still it is not necessary that in order to maintain posts we should have a great standing army. Not simply a company, but a platoon of men is enough to keep up a post in time of peace.

Mr. President, I do not agree with the suggestion which has frequently been made on this floor, and which has been made elsewhere, that the question of the increase of our population is one which should control the size of our standing army. I do not recognize the logic of the proposition that when the population of a free, self-governing republic is doubled the army has to be doubled. I see no reason for it. Upon what hypothesis could such a proposition be sustained? It must necessarily be upon the hypothesis that an army is needed to control the people, and therefore if the number of the people is to be increased, the number of the army to control the people must be increased. I deny the basis upon which any such proposition could be founded.

Mr. SCOTT. Will the Senator from Georgia allow me to ask him a question?

Mr. BACON. With pleasure.

Mr. SCOTT. Does the Senator from Georgia think that the vote last November indicated that the people were afraid of an increased Army?

Mr. BACON. With the permission of the Senator from West Virginia, if he will wait until I get through—I am very much



obliged to him for the suggestion—I will say a word or two on that subject. I do not wish to be diverted right at this time, but I hope, if I forget it, the Senator from West Virginia will call me to my feet, because I want to say something on that point.

I repeat, Mr. President, there is no logic in the proposition that the increase of the Army should be in proportion to the increase of our population. On the contrary, it should be otherwise, because our Army is not intended for the government of our people. Our Army is not intended for that, because the assumption, and the correct and justifiable assumption, is that our people need no army to control them. It is against the spirit and genius of our institutions that we should have an army to control our people. Our theory is that every man here in this country is himself a soldier, not for the control of the people of this country, but to defend the country against foreign enemies whenever the demands require it. The greater the population among a patriotic, brave, liberty-loving people, the greater their ability through the system of volunteer soldiery to protect themselves against domestic disorder and against foreign foes, and the less necessity for a standing army in like proportion.

So it has nothing to do with it. If our population becomes double what it now is, unless there should be some other reason than the simple fact of increased population, there is in this alone no reason or basis for an increase of the Army.

I am in favor of a proper standing army, and I have pride in our standing Army. I have pride in it because it rests upon the great, broad basis of being simply the exponent, the type, the nucleus of the great army which is ever at the command of this people whenever there is need for them, not to be numbered by tens of thousands, but to be numbered by millions of men.

But, Mr. President, I wish to address principally what I have to say to the objection which seems to me to be the most serious one in connection with this bill. That is not simply the increase of the Army. It is a very serious matter that we should have a large standing army in time of peace, but the most objectionable feature in the bill proposing to authorize this great Regular Army is that which I have already partially discussed, and which I have denominated as the abdication of the power of Congress to raise armies, and the investment of that power in the President of the United States.

If the power to raise armies is a power devolved upon Congress and intended to be exercised by Congress, it is an abdication if Congress in a practical way devolves that duty upon the President of the United States.

Now let us see what the Constitution says about that. Upon whom does it devolve the power to raise armies? The power is found in the twelfth subdivision of the enumerated powers of Congress. In section 8 of the first article of the Constitution is found the magnificent array of powers, and in this great array almost all the powers of government, outside of the execution of the laws and the adjudication of contests between citizens, are devolved upon Congress—powers which under other systems were vested in an absolute king or monarch are enumerated and devolved upon the Congress representing the States and the people, the framers of the Constitution deeming that that was the course to be pursued in order that our system might be perpetual and that the liberties of the people should never be jeopardized by an undue exercise of power by one man who might be chosen to high place.

In the twelfth enumeration of these powers here is this distinct language. I read the first line of section 8, Article I:

The Congress shall have power—

Then enumerating the first, second, third, etc., to the twelfth—to raise and support armies.

That is the distinct enunciation of the Constitution. What does the Constitution mean when it says that "Congress shall have power to raise and support armies?" Does it mean simply to give Congress the power to do it at its option, or does it mean that Congress shall do it? Does it mean to say that Congress, if it see fit in time of necessity, may raise armies and provide for their support, or does it mean that Congress shall raise armies and provide for their support? Of course, nobody will say anything but the latter; that it is a command on Congress—not simply a permission, but a command on Congress to raise armies.

Mr. President, does this bill when it becomes a law carry out that command, or does it abdicate the duty imposed by that command? What is the power proposed in the bill? The power proposed in the bill is that the President of the United States shall have the power, in his discretion, at any time to raise an army of 50,000 men by increasing the Army by that many men. There is a difference between empowering the President to enlist a few recruits, and the other power to decide when he shall add 50,000 men to the Army, when he shall discharge them and when he shall again add that number to the Army. Are 50,000 men an army, or are they a few recruits to fill vacancies? If they constitute an army, then when such an army is raised it should, under the command

of the Constitution, be raised by the direct authority and the exclusive authority of Congress.

Are 50,000 men an army? Why, Mr. President, it is nearly as many men as Napoleon had when he fought the battle of Waterloo. It is nearly as many men as fought under General Lee in the terrific world-renowned battles of the Wilderness—within a fraction of the number of men he had in those great battles. It is a greater army than has fought under any one banner in the average great battles of the world. The enlistment of that number of men in the discretion of the President is not to be analogized to the exercise by the President of the power to fill up the depleted ranks, to recruit men to replace those who have died or who have deserted or who have been discharged. It is a power to raise a great army, not only once, but as often as the President may choose. It is a power that the Constitution of the United States not only does not give to the President, but it is a power which the Constitution of the United States, although it uses the language of authority, intends as the language of command—that it shall be done by Congress.

Senators say if we fix a limit we can trust the President within the limit, and Senators seek to make a personal application of it in the inquiry, Can we not trust the President? I decline to measure this question by any such personal consideration. There never has been a President to whom I would be willing to intrust such power; and there is no man living to whom hereafter I would be willing to intrust it.

Mr. SPOONER. The Senator does not mean to impute any such observation as that to me?

Mr. BACON. I am speaking generally.

Mr. SPOONER. No, not generally.

Mr. BACON. I say that in general. Of course, I do not mean to put those words in the mouth of the Senator from Wisconsin.

Mr. SPOONER. I said yesterday, what I repeat, that discretionary power had for many years been given to the President as to the raising of an army; that it had never been abused, and probably never will be abused; and, if it were, the matter is entirely and at all times within the control and corrective of Congress.

Mr. BACON. I did not have special reference to the Senator, although from the very kind attention he was giving to me I think I possibly looked him directly in the face when I made the statement.

Mr. SPOONER. I always give attention to the Senator.

Mr. BACON. I did not have any special allusion to the Senator, but what I stated has been said by a number of Senators.

Mr. SPOONER. Will the Senator allow me to ask him a question?

Mr. BACON. Certainly.

Mr. SPOONER. Would the Senator regard as unconstitutional an act of Congress authorizing the President to raise not exceeding 12 regiments of infantry?

Mr. BACON. No, sir; I do not think any of those bills in the past have been unconstitutional.

Mr. SPOONER. Why not?

Mr. BACON. Because no single one of them invested the President with the power which it is sought to clothe him with in this bill, which is the power not simply to raise an army for a specified purpose or for a specified time, but a power which puts it in his discretion at all times in the future, so long as this act stays upon the statute books, to say whether the Army shall be 50,000 men or whether it shall be 100,000 men. There is a vast difference between that and any one of the statutes which were passed, and which were spoken of here yesterday, read by the Senator from Ohio [Mr. FORAKER], and repeated by the Senator from New Jersey [Mr. SEWELL] this morning.

Mr. FORAKER. If the Senator will allow me, I should like him to specify how this provision differs in point of principle from the statute, for instance, that I cited yesterday, passed in 1846, giving the President power to increase the Army in the way therein provided.

Mr. BACON. The statute of 1846, as stated on yesterday, was passed in view of the imminent prospect and anticipation of the Mexican war, which broke out that very year.

Mr. SPOONER. Was that within the constitutional power of Congress?

Mr. FORAKER. And that was without any limitation.

Mr. BACON. Which one of the two Senators shall I answer?

Mr. SPOONER. Both of us.

Mr. BACON. All right. There is not a single statute, from the act of 1799 down to the act of 1846, or any other, which contemplates the placing upon the statute books of a regular perpetual law which shall relieve Congress of the duty of saying whether the Army shall be 50,000 men—I use that figure simply for illustration—or 100,000 men; in other words, which does not simply contemplate authority to the President to raise an army up to a specified figure for a certain purpose, but which intended that without any action by Congress thereafter the power should rest with him, when that emergency had passed, to say when

another emergency had come, and whether or not that emergency had come, and, if it had come, to determine to what extent the Army should, by his sole command, be increased to meet it.

There is no such statute upon the books, and it can not be found. Every law to which the Senators have alluded is a law which had reference to a specific emergency, which was in immediate contemplation, and there was no anticipation but that with the disappearance of that emergency that law would practically be at an end.

But now, Mr. President, I am going a little further—

Mr. SPOONER. I want to understand the Senator, if he will permit me.

Mr. BACON. Certainly, always.

Mr. SPOONER. Is it the Senator's proposition that Congress must absolutely fix the size of the Army and leave no discretion whatever, under the Constitution, to the President in that regard?

Mr. BACON. I say this, Mr. President, that if Congress has in view a certain emergency, where it can not be foretold what will be necessary, under the practical necessity of the situation it may generally invest the President with the authority to take command of whatever troops may be available, and for this urgent necessity to increase the standing Army and to call out the militia. But if the Senator means by his question whether or not there shall be upon the statute books a permanent statute having reference to a permanent organization, giving authority to the President, within his discretion, and without action by Congress, to make it a large army or a small army, within a range of 50,000 men, I say most undoubtedly it is a violation of this section of the Constitution.

Mr. SPOONER. There is nothing said in the Constitution, as I recollect, about "permanent" in relation to the Army; and there is nothing said about it "being in contemplation."

Mr. BACON. That is true; but the practical operation—

Mr. SPOONER. And there is nothing about "a fixed Regular Army," nor is there anything said in the Constitution about "an exigency."

Mr. BACON. I will ask the Senator this question, and perhaps in that way reply to his question.

Mr. SPOONER. The question that I want to ask the Senator is this: Is it his contention that under the Constitution Congress must absolutely in each case fix the limit?

Mr. BACON. Within the range—

Mr. SPOONER. That is not within any range.

Mr. FORAKER. Let the Senator state the range. Let us have a definition of the range.

Mr. SPOONER. That is what I am coming to.

Mr. BACON. I wish the two Senators would agree between themselves as to which one of them shall conduct this cross-examination.

Mr. SPOONER. I am not cross-examining the Senator.

Mr. BACON. Of course I made the suggestion in all good humor.

Mr. SPOONER. I want to get at the Senator's position, if I can. I should like to know whether it is the Senator's contention that under the Constitution Congress must fix absolutely the size of the Army, leaving no discretion whatever to the President.

Mr. BACON. I endeavored to answer that just now. It is the duty of Congress to raise the armies required for the defense of the country. It is the duty of Congress to definitely fix the number so far as it is practicable to do so. In practical operation it may be necessary to meet an emergency within reasonable limits for a specified purpose, to direct the President what to do in raising the required army. So far as it is practicable for Congress to definitely fix the number of the army, that is required, and if it is not practicable, then there must necessarily be some latitude—for instance, in the presence of an urgent danger. Take the act of 1795. I say that is constitutional.

Mr. SPOONER. Then the Senator—

Mr. BACON. When the Senator asks me a question, he certainly will permit me to reply.

Mr. SPOONER. Certainly.

Mr. BACON. If the Senator will take the act of 1795, he will find that in anticipation of war with France—

Mr. FORAKER. Seventeen hundred and ninety-nine.

Mr. BACON. I should have said 1799. The act of 1795 was the one in reference to the militia.

That act was passed in anticipation of war with France, under conditions where it was an impossibility for Congress to anticipate when the war would be precipitated or what would be the force that would be brought against us; because, as I said yesterday, the first intimation of actual war, in the absence of the opportunity for knowledge that we now have by cable, might have been the appearance on our shores of a hostile fleet with transports full of soldiers. The population of the country at that time was scattered, without means of prompt communication, involving weeks of time to obtain information or to assemble Congress, and therefore it was necessary, in order that the conditions which might

unexpectedly be presented should be met, for Congress to do what it did do, to give to the President of the United States the power to call out the militia as well as to increase the Army for the emergency and to set no limitation as to the militia. I say that was a constitutional act. The practical necessities of the case required that Congress should provide in that way for the defense of the country against imminent danger.

But, Mr. President, I repeat that when Congress puts upon the statute books an act which is not for a particular emergency where the necessities of the case must necessarily control, but which for all time leaves it within the discretion of the President to make by his order the Regular Army in time of peace either 50,000 or 100,000, as he may choose, that is a violation of the spirit and letter of the Constitution.

Mr. SPOONER. Then the Senator's position, as I understand it, is this: That under the Constitution Congress may lawfully commit to the President the discretionary power as to the size of the Army to meet an imminent or apprehended exigency, but can not constitutionally commit to the President any discretionary power as to the size of the Army between limits to meet possible and unforeseen exigencies.

Mr. BACON. I say that where the conditions are such that that matter can be determined by Congress it is the duty of Congress to determine it, and it is the intention of the Constitution that Congress should determine it. In a case of emergency it may be an impossibility for Congress to determine it, and Congress must then provide for the necessary defense in the only way that is practicable; but when you come to put upon the statute books a law that shall stay there for all time, which leaves to the President to determine the size of the Army within a range of 50,000 men, you abdicate the duty of Congress in so doing.

Mr. RAWLINS. Will the Senator yield to me to ask him a question?

Mr. BACON. Certainly, with pleasure.

Mr. RAWLINS. I only ask this question in order to get a fair understanding of the position of the Senator from Georgia on this matter.

If I understand the position of the Senator, it is that Congress may absolutely, without conditions, fix the size of the army to be raised, or it may direct the President, upon a given and specific contingency, to raise an army of a given size, and that in each case it is the will of Congress, that there is no discretion in the President except as the contingency arises, and the power only which Congress intended to clothe him with is the power that he may exercise.

Mr. SPOONER. That is what I understood the Senator from Georgia to say.

Mr. BACON. I am not sure that I fully caught the import of the suggestion of the Senator, but I have endeavored to make my meaning clear, and I will still further illustrate it.

If the contention of Senators here is defensible, Congress can not only say that the President can raise the Army by a stroke of his pen from 50,000 to 100,000 or to any intermediate number, but it may say we do not think that the necessities of the Government will ever exceed a million men, and we will fix a minimum of 50,000 and give the President the power at any time that he sees proper when, in his opinion, the public interests require it, to raise an army of a million men or of half a million, as he may choose. Does not the Senator recognize that under such a law the President would be invested with the power to raise armies? Would not that be an abdication of its powers by Congress? Would the Senator say that was a constitutional law?

Mr. SPOONER. I should say it was constitutional.

Mr. BACON. And trust to him at any time to reduce it to the minimum of 50,000, and at his will and as often as he chose raise it to half a million, or twice that number?

Mr. SPOONER. I should say it was a constitutional law, but that it was a very stupid law.

Mr. BACON. The Senator would think that was a constitutional law?

Mr. SPOONER. Yes; I do not think the question of constitutional power depends on the size of the Army any more than I think a constitutional army depends upon an exigency, seen or unforeseen.

Mr. BACON. Certainly, and for that reason I gave the Senator the extreme illustration of a million men.

Mr. SPOONER. As I said to the Senator yesterday, under existing law, within ten days after we adjourn, the President could call into the service for nine months 5,000,000 men.

Mr. BACON. Exactly, and I will come to that before I get through, if I am permitted.

Mr. SPOONER. And we would have to pay them for that nine months' service.

Mr. BACON. Yes; but they would be volunteers, not regulars.

Mr. SPOONER. What is the difference?

Mr. BACON. I am coming to that, if the Senator will permit me to take it up in due course. I want to illustrate this thing;



I am speaking on the question whether this bill abdicates the power of Congress.

Mr. SPOONER. If the Senator will permit me—and I shall not interrupt him again—it is as much the function of Congress to regulate the reduction of the Army as to regulate its increase.

Mr. BACON. I think so.

Mr. SPOONER. Does the Senator think it would be incompetent for Congress, under the Constitution, we having decided that there should be for the present an Army of 100,000 men, to give the President, when the exigency shall have passed, the power to reduce it?

Mr. BACON. I think that probably could be constitutionally done.

Mr. SPOONER. And properly be done?

Mr. BACON. Yes; but to put upon the statute book a law which shall say that the President shall, at his will, without reference to any special time or any special necessity, use the power conferred on him to increase the Army or to decrease it in peace or in war, without responsibility to anyone or question by anyone—that, I say, is an utter violation of the spirit and letter of the Constitution.

Mr. President, I want to illustrate this question as to whether or not this is an abdication of power, whether it is an abdication of power for Congress to fix an extreme limit for the size of the Army, the maximum, and then to say that the President can at any time, in peace or in war, indefinitely in the future, either raise the Army to the maximum or reduce it to the minimum, and repeat that process as often as he may see fit—whether that is within his constitutional power. In the same sentence in the Constitution coupled with the power to raise armies is the power to support armies: "The Congress shall have power to raise and support armies," which means that Congress shall raise armies and shall support them. The succeeding part of the same sentence is:

But no appropriation of money to that use shall be for a longer term than two years.

Now, for the purpose of illustration, suppose that last clause was not there and the sentence simply read in this way: "The Congress shall have power to raise and support armies," without any limitation as to the length of time for which the appropriation could be made for that purpose. Suppose Congress should, upon this law, which proposes to vest the President with the authority, in his discretion, to have the size of the Army 100,000 men or an army of 50,000, and to alternate it between the two figures as often as he might see fit, in addition ingraft thereon an appropriation of \$500,000,000.

Suppose that, having provided in the act that the President should control the size of the Army at his will, Congress should further provide that the President could, in his discretion, within the limit of \$500,000,000, use as much of that as was, in his opinion, needed for the support of the Army, whether much or little; would that be an abdication of power by Congress? Would it be an abdication of power for us to appropriate money for the support of the Army, fixing the outside maximum of what we supposed would ever be called for, and, without any specification as to how it should be expended, say that the President should each year for all time spend as much of that as he saw fit? That is directly analogous. The very same authority which confers upon Congress the power and invests it with the duty to appropriate money for the support of the Army also lays upon the Congress the duty to raise armies.

If Congress can delegate to the President the power to raise an army of 50,000 men by the stroke of his pen, it can delegate to him the power to raise half a million men, and it could, if the Constitution did not limit the time of appropriation, also, without an abdication of its power, appropriate the vast sum of \$500,000,000 for the annual support of the Army, and provide that within that limit each year the President could, without further authority from Congress, use such amount as he saw fit to support the Army. The Constitution makes the President the Commander in Chief of the Army, but it never intended that he should have the right to raise armies or control the purse which is necessary to support it.

Possibly Senators may refer me to the fact that three years ago we did put \$50,000,000 at the service of the President for the public defense. It was an act of very doubtful constitutionality, and I do not know what better reply I can make to the Senators who are constantly suggesting the question as to whether or not we can trust the President than to recall the fact that, doubtful as was the question, without a dissenting vote, without a word spoken on the floor of this Senate by any Senator, but in absolute silence and with absolute unanimity, this money was put in his control for his disbursement in his discretion. But that does not establish the fact of its constitutionality, and I do not think there can be anything which can more strongly bring to the realization of Senators the unconstitutionality of this measure than to recite the fact that the very same sentence that makes it the duty of Congress to raise armies makes it also the duty of Congress to

appropriate money for the support of the Army. If we can abdicate the one, we can abdicate the other. If the delegation of power in the one case is an abdication, the delegation of the power in the other case would also be an abdication.

The Senator from Wisconsin has referred to the act of 1795, which put at the disposal of the President the militia of the United States. My reply to that is that the two things are entirely different; that there is no possible analogy between them; that while a large regular army is at war with the genius of our institutions, subversive of those institutions and menacing to them, the volunteer system which bases our military power upon our citizen soldiery is the very basis, and the strongest basis, for the maintenance of the free institutions of this country. This is a fundamental principle in the Constitution, in which is found the language—

A well-regulated militia being necessary to the security of a free State.

Mr. President, I can not too strongly impress upon Senators the fact that this proposition to create a great standing army and to forever wipe out the volunteer system is the feature which marks more clearly than anything else the great revolution upon which this proposed law will start us.

That the policy of those who advocate the creation of this regular army of 100,000 men is to destroy the volunteer system and to no longer use in future wars the volunteer organizations known generally as the National Guard is not to be doubted. The National Guard, composed of the most patriotic and spirited young men of the nation, are hereafter to be composed of those who will be only tin soldiers. When the serious business of war comes they will not be recognized.

The Senator from Vermont [Mr. PROCTOR], a former Secretary of War and a leading member of the Military Committee of the Senate, during this debate, in speaking of past and future wars, said:

The expense of a volunteer organization is a mistake which should not be repeated.

In every war which we have heretofore had our volunteer organizations have had associated with them the names of the States from which they came, so that every soldier had as a stimulant to duty and, Mr. President, if need be, to sacrifice, not only national pride, but the potent recollection that he had in his keeping the honor and good name of his State. In every war we have had the volunteers have carried into battle the names of their States, but under the policy of this law the names of the organizations known as the National Guard are no longer to be known in the history of the wars which sooner or later will surely come.

The first step in this direction was taken under the act of 1899, and while there are to-day 35,000 volunteers in the Philippines, no regiment bears the name of any State or volunteer organization. The only thing which distinguishes them from the regulars is that the act under which they are enlisted calls them volunteers.

And thus step by step we go on toward the abandonment of the volunteer system and the substitution of the great Regular Army in its stead. When the volunteer system is abandoned there will have been discarded the strongest defense of our free institutions. When a great standing army has been forever fastened upon the country there will be constructed the weapon the most powerful for the destruction of those institutions.

Is there anyone who could see the creation of a regular army of 300,000 men in the United States without alarm for the safety of our institutions? Well, sir, an army of 300,000 three years hence is not as impossible as an army of 100,000 appeared to be three years ago. And yet it seems now that the army of 100,000 men has come to stay with us, with the probability that it will be increased rather than decreased in the near future.

Mr. President, those who favor this Regular Army of 100,000 men are not acting candidly and frankly with the American people. Out of what arises the need for an army of this magnitude? Whatever may be the personal wish of any Senator, is there a single Senator here who is willing to rise in his place and say to the Senate and to the country that he favors the creation and permanent maintenance of an army of 100,000 men independently of the needs growing out of the war in the Philippine Islands? I am sure there is no Senator who is willing to now make such avowal.

Let it be conceded, then, for the purposes of this argument, that the war in the Philippines makes it necessary at this time that we should have an army of 100,000 men.

The vital, the overshadowing, question that immediately and necessarily arises is, Does the present necessity for 100,000 men require that there should be the permanent organization of an army of that magnitude? If the Philippines are to be permanently retained, and if their retention will require for all time that the United States shall keep up a regular army of 100,000 men, then the advocates of this bill should say so frankly. They should say, We advocate a regular army of 100,000 men because, to hold the Philippine Islands it is necessary that, not for a time, but that permanently and for all time, we should have a regular army of



100,000 men. With this frank avowal the people of the United States could look the situation squarely in the face and determine whether they wished to dominate a colony in Asia at the annual cost of an army of 100,000 men, a cost to be estimated not only in sacrifice of life, but of over \$100,000,000 every year that passes. On the other hand, if the need of this great army for the Philippines is temporary, the advocates of this bill should say so, and the lawmaking power should fix the limit of time within which the Army shall be reduced to the size required not by the temporary needs but by the permanent needs of the country.

The Senator from Massachusetts [Mr. LODGE] estimates that within a few years 20,000 men will be sufficient to meet the requirements in the Philippines. Why, then, should a permanent army be created of 100,000 men when 75,000 of them are estimated for the needs of the Philippines, needs which in two or three years are to be reduced to 20,000 men?

Mr. President, I notice that several Senators who have asked me questions with reference to the last election are not now in the Chamber and therefore—

Mr. FORAKER. Before the Senator passes away from that point I wish to call his attention to one or two other statutory provisions which I have found since this matter was under consideration yesterday; and if the Senator will allow me, by way of forming a predicate for what I want to call his attention to, I wish to state what I understand he has just now been contending for, namely, that while it is true that having reference to the threat of war with France in 1799 we gave the President discretion as to the size of the Army, and did the same again in 1846 when we were threatened with war with Mexico, yet that legislation was justified only on the ground that there was then an emergency threatening, and that it is unconstitutional and bad policy and without precedent to intrust the President with any discretion except only in time of threatened war.

I understood the Senator to say that there could not be found any statute that conferred upon the President the right to exercise such a power in time of peace. I want to answer all that. I do not understand that in 1850 we were threatened with war by anybody, and yet I find in volume 9 of the United States Statutes at Large, page 438, a statute which conferred upon the President precisely that kind of discretion. I will read from it. In the first section Congress designated the organizations that shall compose the Army, and then in section 2 they provide:

That the President of the United States be, and he is hereby, authorized, by voluntary enlistment, to increase the number of privates in each or any of the companies of the existing regiments of the Army at present serving, or which may hereafter serve, at the several military posts on the western frontier and at remote and distant stations, to any number not exceeding 74, and to cause such portions of the Army as may, by law, be serving on foot to be properly equipped and mounted whenever, in his opinion, the exigency of the public service may require the same: *Provided*, That the said enlistments shall be for the term of five years, unless sooner discharged.

In other words, that was a time of profound peace, a time when we were not threatened by any nation with war, a time, therefore, when, according to the Senator's proposition, it was the duty of Congress to fix the size of the Army, and when it was beyond the Constitution and without precedent to give the President any discretion about it; and yet Congress so provided.

Now, if that were all it might be excused upon the ground that that was not very much of a discretion, because the Army at that time was not very large and the President was not authorized to add very greatly to the existing strength of it. So much for that. I also find that in 1866, by the act of July 28 of that year, found in volume 14 of the United States Statutes at Large, page 332 and following, Congress provided what I shall read. That, too, was at a time when they reorganized the Army with reference to a peace basis. No war threatened then. We had just passed through a great war. It was a time of profound peace, and they were providing for an army that we should maintain in time of peace. This is what section 6 provided:

That each regiment of infantry provided for by this act shall have 1 colonel, 1 lieutenant-colonel, 1 major, 1 adjutant, 1 regimental quartermaster, 1 sergeant-major, 1 quartermaster-sergeant, 1 commissary-sergeant, 1 hospital steward, 2 principal musicians, and 10 companies; and the adjutant and quartermaster shall hereafter be extra lieutenants selected from the first or second lieutenants of the regiment. Each company shall have 1 captain, 1 first lieutenant, and 1 second lieutenant, 1 first sergeant, 1 quartermaster-sergeant, 4 sergeants, 8 corporals, 2 artificers, 2 musicians, 1 wagoner, and 50 privates.

That was the minimum of the Army. That was what Congress prescribed should be its strength. They fixed the size of the different arms. They fixed the number of organizations. They determined how many regiments we should have, into how many companies they should be divided, who should be the officers, and how many there should be of them, of the regiments and the companies, respectively; and then they determined who the non-commissioned officers should be and how many of them; then they fixed the number of privates at 50—that was for peace; and then they provided as follows:

And the number of privates may be increased at the discretion of the President, not to exceed 100, whenever the exigencies of the service require such increase.

Mr. President, if it be true, as I have stated, that at that time we were not threatened with any war, that we were simply making preparations for a time of peace, that we were fixing a minimum for a time of peace, and authorizing the President to exercise the power, at his discretion, to increase the Army, then it seems to me that the Senator should revise what he said this morning when he stated, if I understood him, that there was absolutely no precedent whatever for such legislation as we are now proposing; that there has never been any such legislation, except only in such cases as were referred to yesterday, when we legislated with reference to a possible foreign war, with which, at the particular time, we happened to be threatened.

It is true that in each case pointed out yesterday there was an emergency threatened, and that the legislation had reference to that; yet the legislation in each instance did not provide specifically for that emergency, but provided generally, and it was legislation that was to continue in effect until Congress saw fit to change the provision it had seen fit to make.

But the cases which I point out to-day are entirely unlike those of yesterday—the one in 1850 and the other in 1866—neither having reference to any emergency that was threatened, neither having reference to any impending danger, both having reference to an army in time of peace, and both providing a minimum which should be the normal strength of the Army in time of peace, and both conferring upon the President a discretion to increase the Army whenever in his opinion there was any exigency that justified his doing so.

That is all we are proposing to do here. We are simply establishing an army, providing what its organization shall be, providing what the minimum number of the enlisted men shall be, and then providing that the President shall have power, in his discretion, not to increase the number of regiments, not to increase the number of companies, not to add to the organization of the Army, but merely to add by way of recruiting to the strength of each company so far as enlisted men are concerned. That is exactly the provision of 1850, and exactly the provision of 1866. In 1850 it did not involve a very large increase in the Army, because the Army was then small, but it involved an increase of some seven or eight thousand men, possibly.

Mr. SPOONER. The principle is the same.

Mr. FORAKER. Yes; the principle was the same. In 1866 it involved a very large increase, for it involved the increase of the men in each of the 10 companies of 45 regiments from 50 men to 100 men.

Mr. SPOONER. Of course, the principle is just the same, whether the Army was large or small.

Mr. FORAKER. The principle is precisely the same. So, what I want to point out and make absolutely certain is that according to the record it is shown that there is no warrant for the statement that in proposing this legislation there is a departure from what has been done heretofore. On the contrary, instead of this being without precedent, it is strictly in line with precedents. The only distinction the Senator undertook to make this morning was that the cases pointed out yesterday had reference to threats of war and danger and emergencies, in the presence of which Congress was legislating. Now, at the time when this legislation was passed no such emergencies were threatened.

Nobody ever questioned the constitutionality of those laws, and I do not know of any ground upon which the constitutionality of any of these statutes could be questioned. It does seem to me that if the Senator concedes that we have the power to confer upon the President a right to increase the Army at one time he must concede that we have the power to authorize him to increase it at another.

Mr. ALLEN. Will the Senator permit me a question?

Mr. FORAKER. Certainly.

Mr. ALLEN. What is the practical distinction between increasing regiments already in existence and creating new regiments?

Mr. FORAKER. It is simply this: We have been talking about the policy, as well as the power, of doing what we are doing. I was speaking in that regard to the policy. I think it is a wise thing to maintain the various organizations at a minimum and to give the discretion to the President to increase from the minimum to the maximum the number of men, instead of increasing the organizations—the regiments and the companies and the batteries—which would involve also an increase of officers. There is no increase of officers under this bill, but simply an increase of the enlisted force.

Mr. ALLEN. As the Senator, however, said—

Mr. FORAKER. Let me follow that with just one other remark. The advantage is one that I know the Senator is familiar with and will appreciate. A recruit, put into an organization already drilled and disciplined, as this contemplates, would be a much more effective soldier than he would be if he were put into an organization with only other recruits who had never been drilled.

Mr. ALLEN. I recognize that fact, but the Senator said that



this bill simply permitted an increase of the size of companies from the minimum to the maximum—

Mr. FORAKER. The increase of the strength of each company.

Mr. ALLEN. And did not authorize the creation of new regiments.

Mr. FORAKER. Yes, sir.

Mr. ALLEN. The question I put to the Senator is this: What is the practical distinction between the two methods of raising the Army to a maximum?

Mr. FORAKER. There is no difference whatever so far as the question of power is concerned, but a good deal of difference so far as the question of policy is concerned. I think it is far wiser, if we authorize the President to increase the Army, to authorize him to increase the organizations already in the field by recruiting them than to multiply the organizations.

Mr. ALLEN. If Congress has the power to give the President in his discretion authority to increase a regiment or a company or a brigade or whatever it may be from the minimum to the maximum, does it not, by force of the same reasoning, have power to authorize him to create new regiments?

Mr. FORAKER. Certainly; I think so. I say it is not a question of power. It is a question of policy. I think the power of Congress is ample to authorize the President by proper provision to increase the Army by adding new regiments or by increasing to a maximum number the regiments ordered.

Mr. ALLEN. If Congress should authorize the President to create new regiments, would not that be a clear abdication of the constitutional authority resting upon Congress?

Mr. FORAKER. Not at all, in my judgment. I think Congress has a right to say that the Army shall be maintained at a minimum strength, whatever it sees fit to name, whether that be made up of organizations already organized or whether it be made up of organizations authorized, some of which are organized and some of which are to be organized, whenever that discretion is exercised.

Mr. ALLEN. Can the Congress delegate a power that is vested in it by the Constitution?

Mr. FORAKER. No; certainly not; and the contention is that Congress is not delegating its power. Congress is simply providing what the Army shall be—what its minimum shall be, and what its maximum shall be in certain emergencies, and it is pointing out a way, in the exercise of its power, for the increase of the Army in that emergency.

Mr. ALLEN. I trust I am not disturbing the Senator.

Mr. FORAKER. Not at all. I only feel like apologizing to the Senator from Georgia, who politely allowed me to interrupt him that I might call his attention to these statutes.

Mr. BACON. I was afraid that in the zeal of the argument the Senator from Ohio had forgotten that fact.

Mr. FORAKER. No, indeed, I have not; but I trust the Senator will not hold me guilty for all the time taken.

Mr. ALLEN. Let me call the attention of the Senator from Ohio to this provision:

Congress shall have power \* \* \* to raise and support armies.

I will not read the balance of the clause. Is not that an exclusive power?

Mr. FORAKER. Yes; I think Congress is the only power that could do so; and I think if there were no statute on the books the President could not go to work and organize an army. Congress can prescribe how many regiments of cavalry and how many regiments of artillery and how many regiments of infantry there shall be, and what the strength of the Signal Corps and the Engineer Corps shall be, and so on to the end, and then Congress can, in the exercise of this power, provide a way by authorizing the President to organize an army such as it has provided for.

Mr. ALLEN. That is a grant of power.

Mr. FORAKER. Well, all our powers are granted by the people. The Constitution is an enumeration of grants, in one view of it.

Mr. ALLEN. The power is not inherent in the Government?

Mr. FORAKER. I think the power is inherent in every sovereignty to take care of itself and have an army. The Constitution provides how an army shall be authorized and how it shall be organized.

Mr. ALLEN. Let me put it to the Senator as a lawyer. Is the power inherent in the absence of a grant power?

Mr. FORAKER. That is owing to what kind of a government you have. In our Government all powers are derived from the people. We heard that during the campaign—"all just powers of government are derived from the consent of the governed."

Mr. ALLEN. I know that.

Mr. FORAKER. We settled that at the polls.

Mr. ALLEN. I am speaking now in a constitutional sense and with reference to this Government.

Mr. FORAKER. Yes.

Mr. ALLEN. But for the express grant of power, would that power exist?

Mr. FORAKER. I think the Government would have a right to have an army and protect its life, even if the Constitution had been silent on the subject.

Mr. ALLEN. I am calling for a distinct answer. I have recognized in a general sense that the right of self-preservation is inherent in nations as well as in individuals. If this is a grant of power, which I suppose the Senator will not deny in the light of our constitutional history—

Mr. FORAKER. What I say about that in answer to the Senator is that the power to make war is a power inherent in every sovereignty. It is impossible to conceive of a sovereign power without that power having the power to make war, and the Constitution of the United States only provides how the war power shall be exercised. It confers upon Congress the power to raise and support armies.

Mr. ALLEN. Those questions have never been passed upon at all. I beg pardon of the Senator from Georgia if I have occupied too much time.

Mr. FORAKER. I am content to follow the legislative precedents. They do not seem to me to be in violation of the Constitution or to have been unwise.

Mr. ALLEN. I would agree with the Senator in a qualified sense, but not in the broad sense in which he puts it; but if it be true that this is a grant of power, then has Congress the right to delegate that power to any other department of the Government?

Mr. FORAKER. Congress is not delegating any power. Congress is simply exercising its own power in passing the bill now under consideration, as it has time and again exercised its power in all the instances to which we have called attention. Congress did not delegate its power to the President of the United States when it said, in 1779, in contemplation of war with France, that the President might increase the Army which the Congress authorized. Neither did Congress delegate its power when it made similar provisions in 1846, when we were threatened by war with Mexico. Neither did Congress delegate its power when we made precisely the provision we are now making in 1866, when there was no threat of war, but only a promise of peace.

Mr. BACON. Mr. President, that was rather a long interruption, in which the Senator has failed to carry out the promise he made that he intended to ask me a question. He said he desired to predicate his question upon some remarks which he has made. He made the remarks, but I have not heard the question. I understand what the Senator meant to imply, however.

Mr. FORAKER. I beg the Senator's pardon. I do not think I said I rose to ask him a question.

Mr. BACON. That is all right.

Mr. FORAKER. I stated that before he turned away from what he was discussing—namely, this legislation—to speak about the last election, I wanted to call his attention to a statute which evidently he had overlooked, and that I wanted the privilege of predicating some remarks upon it as to what I understood to be his position, so as to show the application of what I proposed to read.

Mr. BACON. To which I made no objection and no interruption.

Mr. FORAKER. No; the Senator very courteously, as he always does, yielded that I might do so. I did not understand that he understood that I was going to ask him a question.

Mr. BACON. The question as to whether or not the former statutes conferred the same power that is now sought to be conferred in the sense in which I am discussing it, as a continuing power, outside of whether or not the increase for a particular emergency was constitutional, but a continuing power which should put away from the Congress the performance of its own obligation—I say still there is no statute that I have seen, not even that which is now cited by the Senator from Ohio, which goes to that extent.

I want to add, as that reminds me of it, that it is not simply the putting away of a power which may be resumed, but it is the putting away of a power which may not be resumed. Senators have said that it was altogether in the power of Congress to control the question of the exercise by the President of the power of increasing the Army by the limitation of the appropriation, and that every two years a new Congress is elected. Yet Senators know the fact that there might be an utter revolution in the country which would turn out the dominant party from control of the representative branch of Congress and put in it a large majority of those opposed to this legislation, and nevertheless as the Senate is constituted they could not practically enforce their wishes because this Senate, by reason of its present membership and the length of service, is known to be such that within the next four years it can not be changed so as to overturn the party which is now controlling it. Therefore, when you pass this bill, you put upon the statute books a law which can not be changed unless all three of the branches of the legislative department, to wit, the House of Representatives, the Senate, and the President in the exercise of the veto power, shall be also changed.

Mr. President, the act of 1850, to which the Senator from Ohio has alluded, and which he has cited, while it does go further than the other acts which have heretofore been cited, was evidently animated by the same purpose and due to the recognition of the same necessities.

It was at a time when our great West was unpeopled, when access to it was by very limited and slow methods of transportation, when there were no telegraph wires there, and when an army might be necessary for quick action in the midst, as there then were, of great vast numbers of hostile Indians, without the opportunity for Congress to be promptly called together; and the act expressly, in specifying the circumstances under which the troops may be enlisted, limits such enlistments to "existing regiments of the Army, at present serving, or which may hereafter serve, at the several military posts on the western frontier"—not all the troops of the United States Army by all means—"and at remote and distant stations."

The act limits the power especially and specifically to them, it being designed for an emergency which might arise under circumstances where it would be impossible for Congress to be assembled in time to provide against it. They were evidently influenced by the same reasons that influenced them in the acts of 1799 and 1815 and 1846.

I should not be frank if I did not say that the act of 1866 did go further. It does go further, but even the phraseology of it indicates that the Congress still had in view the necessities on the western frontier, where the population was still scarce and where the methods of communication were still slow, and where emergencies were naturally to be expected, and of a sudden character, which would make it impossible that Congress could be assembled in time to provide against them. But this bill does not rest upon any such basis.

This bill proposes that which shall be the permanent organization of the Army of the United States, and is designed to meet an altogether different condition of affairs. It is designed to establish, as the permanent policy of the Government, the exercise by the Executive of a power to put into the field 50,000 men by an increase of the Regular Army to that extent whenever he shall deem it proper to do so, and to dismiss them whenever he shall see proper, and to again enlist them, and to repeat the operation as often as he may see fit.

I repeat, Mr. President, there is no line or letter upon the statute book which is a parallel to such an investment of power in the Executive. I can say it would be uncandid in me to contend that the act of 1866 did not go further than the other acts. It did; but even if it had gone to the full extent of this proposed law, that would not change the legal question as to what is the power of Congress in the raising of armies, whether that is a power laid upon it by the Constitution which it is under obligation to discharge, or whether it can delegate it practically, not as to a few straggling recruits, but as to a great army of 50,000 men, to the Executive.

If an act is unconstitutional it can not as a precedent make constitutional a subsequent act of the same character. If it could do so, Congress could by successive unconstitutional enactments in time entirely legislate away the entire Constitution. So that the question remains, Is this proposed act constitutional?

Now, Mr. President, the Senator from West Virginia [Mr. SCOTT] asked me a question which I promised to answer, and that was as to whether or not the American people had not in the last election passed upon this question of an army of 100,000 men. I do not think that they did. I do not think, Mr. President, that the American people passed upon the question of the creation of a Regular Army of 100,000 men, nor do I think they passed upon the question whether or not this country should be converted from a free Republic into an imperialistic government, holding colonies outside of the Constitution of the United States; because, Mr. President, the dominant party which succeeded in that election studiously avoided those issues and studiously endeavored to make the American people believe that they were not involved in the contest.

They took advantage of what proved to be serious mistakes of a political character committed by those with whom they had to contend, and they made the most of them in the most skillful manner. They won the election upon those issues and not upon the ones to which I have alluded. They won the election upon the financial issue. Does anybody doubt that? They won the election upon the financial issue, an issue that really was not in the campaign, because conditions had changed utterly, and there remained no longer anything practical in that issue. In that issue what was true in 1896 was no longer true in 1900. And yet they placed their line of battle upon the same line that they had occupied four years before. They were very skillful in doing it. They took advantage of the mistake of their political opponents. They won the fight, as the Senator from Ohio [Mr. HANNA] knows, on the financial question and a full dinner pail, and they did not win it—

Mr. HANNA. Will the Senator allow me an interruption—

Mr. BACON. Certainly.

Mr. HANNA. As he appeals to me, I suppose he meant me?

Mr. BACON. Yes; of course.

Mr. HANNA. He spoke as to the line of battle adopted by the Republican party in the last election.

Mr. BACON. I paid the Senator a compliment in that connection.

Mr. HANNA. Every issue that was made by the Kansas City convention was met and disposed of, beginning with the Philippine question, and they themselves had ignored and put aside the financial question until the people demanded that the whole question should be considered.

Mr. BACON. I do not know whether the Senator was properly quoted or not at the time when he made that meteoric and brilliant oratorical tour through the West. The newspapers quoted him repeatedly as saying that there was no issue of imperialism in the campaign. I suppose they misrepresented him.

Mr. HANNA. I did not hear the question asked, and the question of imperialism was not urged.

Mr. BACON. I beg the Senator's pardon; I did not hear him.

Mr. HANNA. The question of imperialism was not the question. The question was whether the policy of the Administration up to that time should be supported by the American people. That was the question, and it was pretty well supported on that side.

Mr. BACON. I recur, even on that statement of the distinguished and eloquent Senator, to the statement I made that the issue of imperialism was not passed on by the American people, because the Senator himself, from the rear platform of a train of cars on which he was transported all over the country, repeatedly, if the newspapers properly represented him, stated that there was no such issue of imperialism.

Mr. HANNA. I beg to correct the Senator, if he will allow me. If I said anything upon that subject directly, it was that there was no such thing and could not be any such thing as imperialism—

Mr. BACON. Of course, the Senator did say that.

Mr. HANNA. In the United States—

Mr. BACON. And could not be, therefore, Mr. President—

Mr. HANNA. And that the cry proposed by the party on the other side was simply a fake. That is what I said.

Mr. BACON. I am glad the Senator substantiates what I say. I say, Mr. President, that in the campaign there was no judgment pronounced by the American people upon the issue of imperialism, because the Senator from Ohio, the very astute and able leader of his party, and who certainly achieved a most signal victory, not only said that there was no such thing, but that there could not be any such issue. Well, if there was not any such issue and could not be any such issue, how could the American people pass on it? Therefore I contend that they did not pass on it.

Now, as to this issue of imperialism, I simply brought that in in connection with my reply to the inquiry of the Senator from West Virginia [Mr. SCOTT]. In the same way, Mr. President, there was no issue made as to the Army of 100,000 men. I am speaking about a Regular Army. On the contrary, the constant outgivings of the leaders of the Republican party during the campaign was that there was no intention to have an act passed for a Regular Army of 100,000 men, but that it was simply to be temporary in its nature; therefore it was not passed on, Mr. President. This bill does create an Army of 100,000 men of a permanent nature—not of a temporary nature, to be only temporary in the discretion of the President, but to be permanent in his discretion.

Now, Mr. President, suppose it had been the naked issue. Suppose there had been no other issue in the campaign but the issue whether or not this bill should be the law. Suppose there was nothing else, that every other issue had been left out and not in the minds of the people and not in the mouths of the speakers, and it had been a square fight before the American people whether or not the Regular Army should be increased to the amount of 100,000 men or whether it should be maintained at a figure, say, of 35,000, as is provided by the bill we passed here last session, which way would the American people have determined it?

I have not a doubt as to what they would have done. It is not according to the spirit of the American people, it is not according to the wishes of the great masses of the people, that we should have a great standing army. I wish we could have had an issue squarely on the question of imperialism and the question of a standing army of 100,000 men. If we had had, with all of the astuteness and with all of the ability of the distinguished Senator from Ohio and the very learned and able coadjutors whom he had in that contest, I think the result would have been different.

How many of the laboring men who were influenced by the argument of the full dinner pail favor the creation of a vast regular army which will be a menace to them? How many men were there in the last election who are opposed to this imperialistic policy who lost sight of everything except the ghost of a financial



issue which had been inopportunistly summoned from the recesses of the past?

The Republican party were afraid to trust the American people on the issue of imperialism and its inevitable inseparable companion, a vast standing regular army.

The burdens and the sacrifices which imperialism and militarism will impose and continue to press upon the people will make them the live issues of the future.

Mr. PROCTOR. I move to lay the amendment on the table.

Mr. ALLEN. Mr. President—

The PRESIDENT pro tempore. The Senator from Vermont moves to lay the amendment of the Senator from Georgia on the table.

Mr. TELLER and Mr. BACON called for the yeas and nays.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. PROCTOR (when Mr. DILLINGHAM's name was called). On this vote I understand that my colleague [Mr. DILLINGHAM] is paired with the Senator from Florida [Mr. MALLORY].

Mr. MCENERY (when his name was called). I am paired with the Senator from New Hampshire [Mr. CHANDLER]. I understand that he would vote "yea," and I will therefore vote. I vote "yea."

Mr. MALLORY (when his name was called). I am paired with the junior Senator from Vermont [Mr. DILLINGHAM]. If he were present, I should vote "nay."

Mr. MONEY (when his name was called). I am paired with the Senator from Oregon [Mr. MCBRIDE]. I do not know how he would vote. If he were present, I should vote "nay."

Mr. VEST (when his name was called). I inquire whether the Senator from Rhode Island [Mr. ALDRICH] has voted?

The PRESIDENT pro tempore. The Chair is informed that he has not voted.

Mr. VEST. I am paired with that Senator. If he were present, I should vote "nay."

The roll call was concluded.

Mr. MONEY. My colleague [Mr. SULLIVAN] is absent. I do not know how he would vote. He is paired with the Senator from Illinois [Mr. MASON].

Mr. CHILTON. I inquire if the Senator from West Virginia [Mr. ELKINS] has voted?

The PRESIDENT pro tempore. The Chair is informed that he has not voted.

Mr. CHILTON. I have a general pair with that Senator. In his absence I withhold my vote.

Mr. BACON (after having voted in the negative). The junior Senator from Rhode Island [Mr. WETMORE] has not voted, and in his absence I must withdraw my vote, as I have a general pair with him.

The result was announced—yeas 39, nays 20; as follows:

#### YEAS—39.

Allison,	Gallinger,	McEnery,	Quarles,
Bard,	Hanna,	McLaurin,	Scott,
Burrows,	Hansbrough,	McMillan,	Sewell,
Carter,	Hawley,	Morgan,	Shoup,
Clark,	Kean,	Nelson,	Spooner,
Dolliver,	Kyle,	Perkins,	Stewart,
Fairbanks,	Lindsay,	Platt, Conn.	Thurston,
Foraker,	Lodge,	Platt, N. Y.	Warren,
Foster,	McComas,	Pritchard,	Wolcott.
Frye,	McCumber,	Proctor,	

#### NAYS—20.

Allen,	Clay,	Reitfeld,	Talafarro,
Bate,	Cockrell,	Jones, Ark.	Teller,
Berry,	Culberson,	Pettigrew,	Towne,
Butler,	Daniel,	Pettus,	Turley,
Caffery,	Harris,	Rawlins,	Turner.

#### NOT VOTING—27.

Aldrich,	Deboe,	Kenney,	Simon,
Bacon,	Depew,	McBride,	Sullivan,
Baker,	Dillingham,	Mallory,	Tillman,
Beveridge,	Elkins,	Martin,	Vest,
Chandler,	Hale,	Mason,	Wellington,
Chilton,	Hoar,	Money,	Wetmore.
Cullom,	Jones, Nev.	Penrose,	

So Mr. BACON's amendment was laid on the table.

The PRESIDENT pro tempore. The Chair lays before the Senate the amendment offered by the Senator from Colorado [Mr. TELLER].

Mr. TELLER. Let the amendment be read.

The PRESIDENT pro tempore. The amendment will be read.

The SECRETARY. Amend section 29, page 41, by striking out the words "has been," in line 21, and inserting "shall be hereafter."

Mr. TELLER. That may lie over. There will probably be some arrangement made about it. I do not want a vote on it now.

The PRESIDENT pro tempore. The amendment, without objection, will be passed by for the present. The Chair lays before the Senate the following amendment—

Mr. TELLER. Mr. President, I know very well that nothing

is accomplished in the way of defeating this bill by further discussion, but we each and all have a duty to perform, and I do not believe I would discharge mine unless I objected to the bill in a very brief way to-night.

This is a bill to create in the United States an army of 100,000 men in time of peace. It is not worth while for any Senator at this time to insist that such is not the fact. That there is an emergency and need for troops in the Philippine Islands everybody probably admits, but if there was peace there this bill would have been introduced and the bill would have been supported, though perhaps on a different pretense and with different arguments from those which have been used with reference to it.

I wish to say to the Senators who have the bill in charge, who have said it was not a bill to increase the Army because the Army is now 100,000 men, that they deceive nobody by such a subterfuge, nor do they deceive the country when they say that the President of the United States will reduce this Army to 54,000 men. They know that the President of the United States is in favor of an army of 100,000 men. He so said in time of profound peace. When there was no hand raised against our flag, and when he had no right or reason to suppose there would be, he said that he wanted an army of 100,000 men. A Republican House of Representatives, by a vote that included every Republican except six, voted in favor of an army of 100,000 men in time of peace. It was not possible then to pretend that there was an emergency; it was not possible to give some excuse why you wanted an army of 100,000 men because of some émeute or difficulty somewhere.

That bill came to us. It was not pressed. There was a vote here that would have defeated it if it had been taken. At the last session no effort was made to pass a hundred thousand Army bill. There was an election coming on, and they did not want to pass an Army bill at that time of this character. We passed a bill and sent it over to the House for 18,000 additional troops. Nobody then pretended that there was any emergency. We had passed in the spring of 1899 a bill that we were told would be sufficient to quiet the disturbance in the Philippines, and we had limited the number of men in the bill to 65,000 regulars and 35,000 volunteers. We had restricted that number to the amount necessary, and then we provided that on the 1st of July coming the entire force should be reduced to what had been the peace footing in this country for many years.

So I say now, Mr. President, this is an army not for this emergency. This is an army of 100,000 men in time of peace, and that is the policy of this Administration and of this Republican party.

Mr. President, when this bill came first before the Senate I recognized that there was a condition in the Philippine Islands that required more than the usual number of men. We were told by the senior Senator from New Jersey [Mr. SEWELL] that the rebellion was rife and that there was then more difficulty than there had been at any time in that section of country, and we had then 76,000 men there. It turned out, I believe, that we had 71,000 men there, and we have over 71,000 men there now.

If this army of 100,000 were to be created for this exigency or emergency, for the sake of compelling peace in the Philippine Islands, the friends of this measure, those who have it in charge, would have readily acquiesced in the suggestions we have made and the motions we have made, that have been voted down, to reduce the Army to the old complement when peace should be restored in the Philippine Islands. The Senator who has this bill in charge, the chairman of the Committee on Military Affairs, has declared that this army is not a large army in time of peace. So, I believe, have three or four other Senators on the floor of the Senate. They have made such utterances in private conversation; and still more of them have declared that this is a small and not a great army.

So I want to make that clear. If there is any intention on the part of any member of this Senate who represents the dominant party now in power to reduce the Army when peace comes in the Philippine Islands, if it ever shall come, to 54,000, or any other smaller number, I wish they would take some steps to secure that desirable result. But they have not and they will not, and we are now about to enter upon a system which has never been in vogue in this country, one which has been repudiated by the party now in power, and one which is contrary to republican sentiment and inconsistent with free government. We are to have no more volunteers in the future, but we are to maintain a standing army great enough to fight the battles of the Government of the United States whenever there is necessity for an army.

There has been much discussion over the question whether we are abdicating our power. When we said that the Army should consist of 54,000 men, or something like that, and then authorized the President of the United States to fill up and maintain the Army—for that is what we do—the answer to that question has been by everybody who has spoken on the Republican side of the Chamber that we could not abdicate our power over the Army.

They say it is not an abdication of power, because the power still remains with us; which everybody knows and which nobody would deny.

I do not intend to discuss the constitutional question. I know it has been discussed before, and it probably will be discussed again; but I do want to say just a few words as to the nature of legislation of this kind; and I think I can find a ready response in the minds of Senators who insist that it is constitutional to legislate in this way when I say that is vicious legislation, which ought not to be enacted unless when the country is in an hour of peril.

I have pretty liberal views as to the power of the Government and the power of the Executive for the time being, when Congress can not be assembled, to take care of and protect the great interests of the country; but we now live in an age when every Senator can be summoned from his home and come here within five or six days—a very different condition from that which existed in 1779, and from that which existed in 1855. So if there was then some excuse for that kind of legislation, there is no excuse for it now unless, as the Senator from Connecticut appears to think, it is better to intrust power to one man than it is to hold it in the hands of the representatives of the States and the representatives of the people of the United States.

Mr. HAWLEY. Did I ever say so?

Mr. TELLER. I am not speaking of the Senator who sits near me [Mr. HAWLEY], but I am speaking of his colleague [Mr. PLATT of Connecticut], who made an argument the other day to show that there was no possible danger in trusting power to the President of the United States, because up to this hour for a hundred years we have never had a President who would abuse the power if it were intrusted to him.

Mr. President, that is always the argument for unlimited and unrestricted power. That is the argument of those who deny the power of the people to put constitutional limits upon their rulers, and it is rather surprising to hear such statements in this Chamber.

It is possible that we do not abandon our rights and abdicate our powers when we reserve to ourselves, as the Constitution does reserve, the right to repeal any act passed here. Mr. President, I have never heard before in this Chamber when a bad bill was presented and somebody objected to it that you could pass it because you had the power to repeal it. That is all there is in this argument, that when the President of the United States abuses such a power we have got the right to say to him, "You may go just so far, you may reach this point, but you must not go any farther." That might do for a town meeting or a caucus, but I do not think the people of the United States will believe that that is a sound argument in this body. At all events it does not commend itself to me.

When a Senator gets up here and says it is unwise to put such a power in the hands of the Executive, it is not an answer for another Senator to say, "There has never been a President who has abused the power, and if one should abuse it we have it in our power to prevent a continued abuse of it."

Why, Mr. President, the restrictions that are put upon power, and the limitations that are put on the exercise of unlimited power, are not imposed for good men, but for bad men. Unrestricted power is tyranny, whether it be exercised or not. It is contrary to the principles of a free government that there should not be limitations of some kind upon executive acts.

So the question comes whether this is a legislative act or whether it is an executive act. I say this is a legislative act. We raise the Army; we provide for it. I will not deny but that we might authorize the President in a great emergency, perhaps, to go beyond what was the ordinary Army, and that he might properly exercise that power; but I say it is not good policy to do it. It is the wisest thing in the world in a Government like ours to keep as near to the line of restriction upon power as it is possible to do, yet if, in the exigencies of life and in the history of a nation, there should come a time when the ruler of the nation must do what in most cases might be regarded as an abuse, that should not be made a precedent and a principle.

I think I have said all I care to say on that subject, because I do not intend to spend much time on this question. I know upon what dull ears falls everything that is said here against this bill. I know that this is a caucus measure. I do not mean to say that there has been a caucus held on it, because I do not know as to that; but I mean to say it is a Republican measure, and it is to be supported and defended by the members of the Republican party here, with perhaps one or two exceptions.

Mr. President, when the time comes, as it will come, when this Army has been inflicted upon the people, and the same agencies want 100,000 more added to it, you will hear the same argument you have heard here, and you will find the same defenders that you find here to-day. They will tell you that a great nation like ours can afford a great army. Then they will recite how many posts we have got and how many places we have got to garrison, and then somebody, like the chairman of the Committee on Mili-

tary Affairs, will tell us that there are rumors or signs or portents of war against us somewhere.

Mr. HAWLEY. Is the Senator not perfectly aware that, standing right here, I repudiated that statement?

Mr. TELLER. I do not care whether you did or not.

Mr. HAWLEY. I know you do not.

Mr. TELLER. I have got it right here, and I am going to read it; and that is exactly what the Senator said.

Mr. HAWLEY. I spoke of what was always indefinitely in the air.

Mr. TELLER. Very well.

Mr. HAWLEY. The Senator understood me, but he will not say so.

Mr. TELLER. I did understand the Senator; and I understood him to say what I have stated. I was here when he said it, and I have the extract from his speech, but I can not put my hands on it at the moment.

Mr. HAWLEY. I will repeat what I said if the Senator wishes me to do so.

Mr. TELLER. The Senator said that we needed an army for the purpose of keeping peace in certain sections where there are anarchists. He used words to that effect, and then he added what I have stated about the feeling as to our taking the Danish Islands, etc. The newspapers of the country took up that statement and used it. There is not anybody in the United States who believes that there would be any danger of a foreign war if we should buy all the West India Islands, with the South Sea Islands thrown into the bargain. Who is going to complain if we buy the Danish Islands? What nation is going to raise its hand against us?

Mr. President, we do not want this great army of 100,000 men to resist any threatened or apprehended war from any people in the world. When we shall have secured peace in the Philippines—which God knows we ought to do, and do speedily—we shall not need more than thirty or forty thousand men, even if we garrison every post in the United States with a full complement of men. We could not swell the number above 50,000 even if we leave five or six thousand in Cuba.

How long are our soldiers to remain in Cuba? Everybody knows that we are under a pledge to mankind, a pledge that if we had not made we would have had an army of not 6,000 in Cuba, but an army such as we now have in the Philippine Islands, or else we should have been compelled to withdraw from Cuba. The people of Cuba would have fought us as the Filipinos are fighting us if we had not pledged ourselves to the world that we would surrender to them the control of their own national affairs.

There is a constitutional convention now in session in Cuba. I have a letter, received to-day, from the general in command there, in which he says that peace and order prevail. They had two elections in the island of Cuba, one a municipal election and one an election for members of the constitutional convention; and I have the authority of the commanding general there that not an émeute arose anywhere on the days of either of those elections. Nobody in the island of Cuba assaulted, or attempted to assault, any other man on the day of either of those elections. There are very few cities in this Union where that can be said of the last election. It can not be said of the great cities in this country, as it can be said of Habana. It can not be said of the city of Philadelphia, where they had a great force of policemen, not to see that the people voted, but to see that they did not vote, if a former member of this Senate does not testify falsely against the condition that then existed.

Mr. President, you do not need an army in Cuba. You can withdraw that army to-morrow and peace and order will prevail. I heard one of our generals before the Committee on Relations with Cuba last winter say to that committee, "I presided over a district containing 500,000 inhabitants—the Matanzas district." I refer to General Wilson, than whom there is no better officer in the public service to-day. He said to us, "You can not find anywhere in the United States 500,000 people better qualified to maintain a government than those people. Nowhere can you find 500,000 men more obedient to law and more observant of the rights of other men than in the Matanzas district." You are not going to need an army in Cuba, and if you need an army in the Philippines now, it is to be hoped that you will not need it there always.

Nobody has objected here—and I want to make that plain—to the size of the army which the President says he needs for the purpose of putting down what the Senator sitting at my right [Mr. HAWLEY] calls "the traitors to this country." I presented a petition here the other day of 2,000 men. I do not know their relation to this Government. I do not believe they are citizens of it; I hope not; I never want to see them citizens of it. But the right of petition exists to every man living where the American flag floats, and that right would have been denied them here if it could have been denied after the reading of that petition had begun.

The Senator from Nevada [Mr. STEWART] tells us to-day that those men are in arms against the Government of the United



States. Not a man of them was ever so in arms. They are the orderly, law-abiding citizens of Manila. In that list are distinguished lawyers, judges, professors in colleges, and other representative men. You may deny to those people the right to have that petition printed as a document, but we have had it read here and the American people will read it, whether you smother it in committee or whether you do not.

I did not agree when I presented the petition that I indorsed everything said in it, but I remember that the right of petition is the dearest right of a freeman; I remember that the denial of that right was enough to bring our forefathers into hostility with Great Britain. I recall the words of Patrick Henry as to the attempt of the colonies to petition and the refusal of the King to receive it—not a worse king than most kings, but infinitely better than some of his predecessors and some of his successors. I am going to read the language of Patrick Henry, and I know he expressed the sentiments of the Senator from Connecticut, who arraigned those people as traitors, and I suppose he arraigns me as a traitor.

Before I read this language I wish to say that I hold the right of petition to be one that can not be alienated or destroyed, and that you can not put any restriction on it here, if we are to continue to have a free Government. I remember that John Quincy Adams presented in the House of Representatives a petition for the dissolution of the Union, and I remember that there was a great tirade made against him, and that he defended himself. Every man who has studied the proper forms of government and knows what is necessary to maintain liberty knows that the right of petition can not be determined upon what the petitioner says he wants. These men say to us, "We want you to take off your hard and heavy hand; we want you to do it because we believe it is for your interest and for ours." They are not traitors; neither am I a traitor when I present the petition.

In the house of burgesses of Virginia, March 23, 1775, Patrick Henry said:

Sir, we have done everything that could be done to avert the storm that is now coming on. We have petitioned, we have remonstrated, we have supplicated, we have prostrated ourselves before the throne, and have implored its interposition to arrest the tyrannical hands of the ministry and Parliament. Our petitions have been slighted; our remonstrances have produced additional violence and insult; our supplications have been disregarded, and we have been spurned with contempt from the foot of the throne.

It is too late in the United States to deny any man the right of petition. It is true that we have a provision in our statutes that if the petitioners are foreigners their petition must come through the State Department, which is, however, a recognition of the right of the foreigner to petition us if he so chooses. But these people have nobody in the State Department to speak for them. If they are citizens, they are citizens without the right of citizenship. Nobody represents them here. Nobody has a right to represent them, perhaps, under the present condition of things; but they have a right to supplicate, to petition; and, Mr. President, they will always be heard when they come here. I should regret to believe that the time would ever come when a petitioner against what he believes to be wrongs and injustice of this Government could not come here with a full knowledge that his petition, if not granted, at least would receive respectful consideration.

Mr. President, you do not want this Army for the Philippine Islands. If you do, it is not enough. You have got 71,000 men over there now; you have 420 stations there; and if you put 300 men to a station it will be little enough; in fact, it will be too small. If you are to control that country by power and by force, you must have many thousands more than you can possibly spare under this bill.

We hope, Mr. President, that the condition existing over there will be speedily brought to a close. A few days since I was talking with an Army officer, high in the public service, a man who has rendered great service to the Government of the United States, a man whom the people of the United States respect and admire. He said to me, "I believe the affairs over there can be composed, if rightly approached, in the next thirty days;" but they will not be so approached and no proper effort will be made to that end.

When the last commission went over to the Philippines we thought it was sent there not to legislate; not to adjudicate and render judicial decisions; not to fix a tariff; not to say what articles should be admitted and what should be excluded from their ports; not to appoint specially a collector of the port here or there; but we thought the commission had been sent there to bring about, if possible, an era of peace. Mr. President, so far as I can learn, that commission has never made any effort in that direction. If the President of the United States has granted amnesty, as it is said he has, that amnesty has expired.

For myself, I do not believe, Mr. President, that those people are rebels against the United States in the sense in which we speak of people who rebel against an established government to which they owe allegiance. Neither do I believe that they are traitors. They may be mistaken; they may believe that this Gov-

ernment is going to give to them what is denied here; yet, as I said the other day—and I repeat it—they have every reason under the sun to believe it, and no reason on the face of the earth to believe that we intend to give them the blessings of a free government. The autocratic power which they see exercised every day is not encouraging. They know that upon our Calendar is a bill coming from the proper committee of the body with its approval, or at least with the approval of the Republican members of that committee, which provides that when peace shall come, when there shall be no more war over there, then the President of the United States shall create such a government as he sees fit; but in it there is no promise; there is no suggestion that those people are to have any part or lot in the government under which they are to live.

I regard our condition in the Philippine Islands as extremely unfortunate. It is a difficult thing to deal with, and I do not myself know how the Government proposes to deal with it. I hear sometimes about the policy of the Government over there. The only policy that I know anything about is the policy of force. The only policy that I have heard advocated here is a policy of submission on their part without any pledges or without any promises on ours. The Senator from Arkansas [Mr. BERRY] put in the RECORD yesterday an amendment which he proposes to this bill, which shall declare to them what we declared to Cuba. I venture the prediction here that every Republican in this Chamber, save and except two or three, will vote against it. That, then, is not the policy the Government is to pursue in dealing with them.

I do not want to misrepresent the chairman of this committee. He and I have sat side by side for many years, and he and I do not agree, and we do not agree on fundamentals. He can not agree with me and I can not agree with him, and neither of us, perhaps, is very lenient and tender toward the opinion of the other when it comes in conflict with our well-established opinion. I wish to show that I did not misrepresent him. He goes on to say:

"And the enlisted force of the line of the Army shall be reduced to the number as provided for by a law," as referred to there, an old law bringing it down to about 26,000 or 27,000 men; but with the addition of 1,500 or 2,000 men (the figures are here given) in those two artillery regiments, we call it roughly 29,000 men.

Now, that is certainly not more than what would be a sufficient guard for our own country. There are places where we know we have to keep people—

Of course, he meant the Army—

because we are in danger of anarchistic and revolutionary and insurrectionary outbreaks, and our men are scattered throughout the country, after a great deal of study as to where it is worth while to put 500 men or where to put a thousand men. It is not a matter of random at all.

We are not altogether out of sight of some possibility of war yet with some European power. We do not know. They are in a great deal of trouble there, and I understand they look with very great jealousy upon our talk of a Danish island and our talk about acquiring other territory.

I can not conceive that the Senator did not have some threatened difficulty in sight, and yet I have not been able myself to see it. I have looked the world over. I know that we are not particularly loved in Europe. I know, as the junior Senator from Massachusetts [Mr. LODGE] said, that our competition in trade is creating a great feeling against us over there, but I fail to see any nation in the world that is going to attack us in the interest of trade. I recall that very many, many years ago, when this nation was not so homogeneous as it is now, when we had a North and a South, which now we have obliterated, that Abraham Lincoln made a speech in the State of Illinois. It was years before he came into prominence, and he spoke to the people of that State upon the strength of the Government of the United States and its immunity from foreign aggression and foreign attack. He used an expression which I thought was characteristic of that great mind. He said:

If we are united, all the powers of the world can not take a drink of water out of the Ohio River; all the powers of the world can not make a track on the Blue Ridge.

I say that to-day. If we have any war, it will be a war upon the sea. It will not be a war upon the land. With 76,000,000 people, compact, homogeneous, attached to their country, we may defy all the powers of the world. How could they bring their troops across the sea and land them on our shores? How soon would we drive them into the sea? Oh, Mr. President, those who picture any such impossible condition are doing injustice to the nation and injustice to themselves. Nobody will attack a nation that can put a million people into the field at once. No nation is going to attack another that has more endurance and more wealth than any three great powers that can be named. It is an idle thing. As the Senator said of the fear of a great army, it is a delusion.

I wish to say that my opposition to this bill is not because I think a hundred thousand men can destroy the liberties of this country, nor five hundred thousand, but because it establishes a principle contrary to a republican principle, which is that the fighting force of a republic is the great body of the people, and not a paid soldiery, called "regulars."

I am going back to the beginning. When this debate opened I asked the Senators here to tell me why they wanted an army in



time of peace, and what I have read is the answer we got from the Senator from Connecticut. Nobody else has pretended to answer it, that I know of. If we say we are rich enough to have it, I will agree to that. There is no nation in the world that can maintain so large an army as we can, and maintain it so easily; and yet there is no reason in the world why we should maintain an army for a single hour longer than there is necessity for it. Not long since, a few months ago, the Czar of Russia, realizing that the great armies of Europe were not only a drag upon the industries, but a weight upon the aspirations and hopes of the people, asked the world to get together and arrange for disarmament; and we sent our representatives over to The Hague, and the world sent theirs. But when they got there they did nothing.

Since the birth of the world, in all history, there has never been a time when the people were so pressed down and burdened by great armies and great army expenses as they are to-day. There are bigger armies now than when Napoleon fought the world. They are not in active service, but they are a weight upon the industries and upon the productive energies of the people. Russia, a country not rich, has 850,000 men in her army and 3,500,000 that she can bring into the army. England, with 200,000 in her regular army, has now in the neighborhood of 400,000 men in the field. The total expenses for the armies of Europe alone in time of peace is enough to pay our interest-bearing debt every year.

Mr. President, I object to this bill. I object to it as calculated to injure and to destroy the patriotic impulse of the young men of the country, who want to be educated to believe that when there is danger they are the ones to confront it—the young men who should be taught to believe that a man is entitled to go into the Army when his country is assailed. He does not go into the Army for \$15 a month, but he goes into it stimulated by patriotism and not by the hope of gain. You are going to say to all the young men, "You are not needed; it is folly to take an interest in military affairs, for we are going to fight our battles in the future with paid hirelings," whom we pick up frequently out of the very slums of Europe; men who are fighting machines, but are not thinking men.

Mr. President, we had a great army in the field, a million men at one time on our side, and somewhat less on the other. Why were those two armies the best armies in the world that ever aggregated together? Simply because they were the brains and the patriotism of the country. There were, of course, some bounty jumpers and some foreigners, but the great battles were fought by the stalwart sons of American fathers and mothers, and that is where you have to go, unless you are to follow the European system and the European policy with a great standing army.

Look at France. France, with a little more than half the people we have, has five hundred and some odd thousand men in the field, withdrawn from the productive industries, consumers but not producers; and if there is decay in France, if the dead rot has struck her people, it has done so because the people of France have ceased to have the policy that their fathers had, because they have ceased to believe that they are France, and that they are the men who must make France glorious if she ever is. Germany has an equal number or more; and thus you may go over Europe.

We are a great nation, I will admit. We do not want to emulate those countries. There is not any need of it. There is nobody in the world who needs to see a great army in the United States to know that we are the greatest nation under the sun, that we are the greatest people that ever lived in modern times, and I believe I shall not be extravagant if I say, all things considered, the greatest nation that ever lived under the sun. The glory of Rome may have been greater in arms, but in peaceful pursuits, in the condition of our people, in their ability to take care of themselves, their high aspirations, and the high plane upon which they live we have never been excelled by any nation in the world.

I can not see this attempt to put a great army, a useless army, not a harmless army, on the people in time of peace without entering a very vigorous protest against it; and I do not care if you can find the constitutional power to let the President maintain it and decrease it as he chooses. I want to say to you he never will decrease it. He declares that we want 60,000 men in the Philippines, and that we will want them there for a number of years. Do you know what we could do if we would put our Army at a reasonable rate and save this great expense? Suppose we put the Army at forty or forty-five thousand, if that is necessary, or, if you insist upon it, you may go to 50,000 in this calculation which I wish to make.

Now, what is it going to cost to add fifty or sixty thousand or seventy-five thousand men to our Army? If you add in the neighborhood of sixty thousand men, you are morally certain that you will have an additional expense of at least \$60,000,000 a year—not for this year alone, not for next year alone, not for five or ten years, but for an indefinite period. When you have this great Army the agencies that put it into operation to-day will maintain it there. You have not any use for it. If it is a pageant, and for

glory, you do not need it. If it is for defense of any attack that ever shall be made upon us, it is not enough. We can get the soldiers out of the body of the citizens of the United States without this great expense.

You may take what you are to waste upon this Army, what I believe, and what I think the country will believe, is a reasonable number, and you have at least the expenditure of sixty millions a year, and in three years by remaining on a peace basis we might save enough money to build the interoceanic canal. In another three years or a trifle more we might build another canal between New York and the Lakes and open up a country there to pour its great riches and wealth into the channels of commerce, and send them across the sea. You can, with a month and less than a month of it, build a ship canal from the Gulf to the city of Chicago, and in twenty years you can pay our public debt, at least so far as it draws interest.

Now, will some Senator get up here and tell me what you get for this great expenditure—what benefit, what advantage? You put an additional tax upon the country, laboring now under heavy burdens; and our salvation has been for the last two years in the exports trade. Every burden we put upon them renders the production of export articles more difficult. Do you think that somebody will pay this sixty million? No. Every industry in the United States will be taxed for it. Every man will be taxed and every woman. If there was peril ahead of us, if there were need of it, we would pay those taxes as cheerfully as we paid our taxes during the late civil war, when the Government put upon us a 10 per cent income tax.

But I challenge the chairman of this committee or the Senator from Vermont to show the necessity for this increase unless, as suggested by the Senator from Connecticut, we are to keep down anarchists and revolutionists. Where are they? In what portion of the country do you need an army, and how long has it been since peace and order in the United States had to be maintained by a great army? It is contrary to every theory of this Government. The States maintain order and peace, and it is only when a revolution gets so great that the State can not that the Government must. We have had an army big enough for any difficulty that came.

We have fought our battles, not with the Regular Army, but with the volunteers. The great battles of the revolution were fought by humble men of the country who were not regulars. The war of 1812, as will be discovered if anybody will take the pains to look, was won by volunteers, and the Mexican war was fought by volunteers and not by the regulars. The most glorious battles in the world, where the greatest heroism has been exhibited, where the greatest conflicts between men have taken place, have been fought, not by regulars, but by volunteers. It was the boys out of the shop, with the exception of the Old Guard, that fought for Napoleon on many a bloody battlefield. It was not the regulars. He called upon the French people and they responded.

Such has been the case in England. Such is the case with every liberty-loving people. You must rely upon the people, not upon an army. An army is a vain delusion. It may to-day be for you; it may be against you to-morrow. I recall many instances in the history of the world, as Senators will, where an army became a source of disquietude and where the destruction of the government was due to the army. It is possible and probable that a hundred thousand men can not do that here, but if you want to rely upon an army to maintain peace you must rely first upon the volunteers of the States, and then if the trouble becomes great enough you may rely upon the volunteers of this great Government of ours.

Mr. President, they tell us you can not get an army quickly. Let anyone take Mr. Stanton's report which he made to Congress at the close of the late war and see what he says about the volunteer. He was high in his praise. There were no regulars anywhere. They were all volunteers. They say you can not get them quickly. In 1864, when there was a good deal of doubt as to the result of the conflict between our brothers in the South and ourselves, the governor of Ohio, the governor of Illinois, the governor of Indiana, the governor of Iowa, and the governor of Wisconsin met together in this city, and the Government said to them, "We want troops, and we want them now. We are getting troops by the usual method of selection—by enlistment. We want a hundred and twenty thousand men;" and they parceled them out and said, "We will give you a hundred and twenty thousand men." The Government said, "When; in how long a time?" They said, "We will give them to you in three weeks."

The State of Ohio put into active service 36,000 men inside of three weeks, armed and equipped, as well calculated to fight the battles of our country as any regulars that ever were employed. The Secretary said that those men were largely called out for the purpose of garrisoning, and so forth, and they expected to be in the field only ninety days. He says, however, the men wanted to go to the front, and he sent many of them to the front, and then



he pays a tribute to their bravery and to the success which crowned their efforts.

Mr. ALLEN. Will the Senator permit me to interject a statement. Our civil war proved in a number of instances that the most conspicuous failures were Westpointers.

Mr. TELLER. I will not stop to say much about that; but I have sitting on my right here a civilian soldier, who did great credit to his State and great credit to the nation; and I have sitting on the other side of me a gentleman, who was then a New England youth, who went out, not for the money in it, and who rendered signal service to the Government of the United States as a private until his merit promoted him to a higher place.

Our late war was full, to overflowing, of cases where the volunteer was equal to any trained soldier, and where the volunteer officer was in many cases superior. Was there any man in the Army, unless it was the great chief, General Grant, who rendered more signal service than the Senator from Illinois, now dead, who sat in this Chamber so many years? I recall myself many and many an officer who went down in the strife of battle who was the equal of any man who escaped or of any man who carried the parchment of graduation from Westpoint or any other academy. When we shall rely upon the trained soldier and him only, our decadence will begin, and we shall lose the spirit of patriotism and of aggression.

I do not want to see the spirit of conquest, but I do not want ever to see this nation where the great body of the people will not be ready to resent a national insult with their lives, if necessary. Your machine soldiers will not do that. Your idle camp followers will not do that. You must have men who are stimulated by love of independence and country, who will go out and take their lives in their hands. If I needed to mention an example of the power and strength of the citizen soldiery, I could call your attention to the conquest in South Africa, where people living at home, full of love of liberty, are contending against ten times their number, and so far have not had much the worst of the conflict.

Why do not the British wipe them out? They do not do it because the British soldier is no longer selected from the great body of the yeomanry of that country. The purlieus of the cities and the slums have been searched for the army, and to-day Great Britain, realizing that the strength of the army is not in that class of men, is paying a dollar and a quarter a day to the men who enter her army, a price that has never been paid in the history of that country or any other European country.

Why does she do that? She could with her great wealth call upon all the world. She wants the Britain to do the fighting. She knows that if she could get into her army the class of men she had when she fought Napoleon they would not surrender when 15 or 20 per cent of them were killed, but they would stand up and fight and would not think of surrendering until the great body of the troops had been destroyed. So she says "Come out and do your work for us."

Mr. President, that is the class of men we must rely upon. Now I am going to ask the question, not for myself, not because I expect an answer, but because I want the American people to know that there is not any reason for this army in time of peace. I want the American people to know that if there is an exigency over there we are prepared to meet it. We have offered to do it. We have said, unlimited numbers if you want them, unlimited time if peace does not come, if you want it, but in peace, when war shall cease, we want to rely upon the great body of the American people, and we want a small army, not to put down anarchists, not to put down rebellion, but as a nucleus, when the time comes, if it ever shall come, that we will need a great army we may build it upon it.

Mr. President, I have made no attack upon the character of this reorganization. I do not know whether it is wise or whether it is not. I am inclined to believe that it is too large and somewhat top-heavy if you are to have only 54,000; but if you are going to have 100,000, as I believe you are, then, Mr. President, it is not too heavily officered, in my judgment.

Mr. President, I do not care to continue this discussion. As I said before, I know that it is decreed that this bill shall pass. I know it will pass without reason. I know it will pass without good judgment. I know it will be a sad day for the American people when our Army expenses shall go from \$40,000,000 to \$150,000,000. Some day the American people will find it out. If, as has been said here, the last election settled that you are to have a great army, then I say be courageous and not cowardly as you have been, and stand up here and say we want 100,000 men in peace.

Do not beat about the bush and say when peace comes in the Philippines we are going to put down the Army, and yet refuse to put in the bill any provision which compels its reduction.

Mr. President, I had several things I intended to present to the Senate, and perhaps it would have been better if I had presented them instead of generalizing as I have done. Yet it seems to me

that we only need to say to the American people, to have them see this folly, that no man stands here and gives a good reason why we should have 100,000 men in peace, and all the advocates of the bill attempt to beat about the bush and say this emergency is what we are after.

I repeat, Mr. President, it is the policy of the party now in power to have a great standing army—and God knows why; I do not. It is possible that it has some connection with the change that seems to be taking place in this country. It is not impossible that the cry of imperialism which has been made may have some ground, and, afraid that imperialism will not suit the people, there is preparation for a great army to put down anarchists, revolutionists, and insurrectionists, not in the Philippine Islands, but at home.

Mr. WARREN. Mr. President—

Mr. GALLINGER. If the Senator will permit me, I offer an amendment to the pending bill, which I ask may be printed and lie on the table without reading.

The PRESIDING OFFICER (Mr. PLATT of Connecticut in the chair). The amendment will lie on the table and be printed. As there is no amendment pending, the Chair will lay before the Senate the amendment intended to be proposed by the Senator from Wyoming [Mr. WARREN]. It will be stated.

The SECRETARY. On page 38, section 24, line 19, after the word "Army," insert:

And those volunteer officers not over 30 years of age who held commissions during the war with Spain and are now serving in the Regular Army.

Mr. ALLEN. How would the paragraph read if the amendment should be adopted?

The PRESIDING OFFICER. The Chair is informed that it is proposed to insert this amendment in an amendment which has already been stricken out of the bill, so that it would not be in order.

Mr. ALLEN. The amendment itself as read is not intelligible unless read with the text.

The PRESIDING OFFICER. The text of the bill to which the amendment is offered has been stricken out, the Chair is informed, so that it has nothing to attach itself to.

Mr. ALLEN. Then there is nothing left.

The PRESIDING OFFICER. The Senator from Wyoming [Mr. WARREN] has the floor.

Mr. WARREN. Mr. President, I had not intended to take any part in the discussion of this bill. I had neither prepared for nor cared to enter into any general discussion of it. It has seemed to me too plain a case—the necessity of the passage of this bill and at an early date—for Senators to seriously occupy time in contending against it. Time is the essence and important factor if we have in view either economy, the keeping of faith with our soldiers, or the retention of the ground and advantages already gained in the Philippines.

I fear that the bill can not now become a law in time to prevent the expenditure of millions of dollars which could have been saved had we been able to enact a law in the earliest days of our session. Certain it is that because of this delay our cost will be very great if we keep faith with the men who enlisted with the expectation of reaching home by the 1st of July next, according to contract; and the expenditure will be still more enhanced if we maintain anything like our present force in the Philippines while making the exchange.

For instance, we have already brought out a portion of the troops from there without sending any to take their places. To do this we must not only abandon some of the posts and towns we have heretofore occupied, but the natives who, much like the American Indian, judge of the strength of the United States by what is in evidence at the front, will consider that, as our forces decrease just at this trying time, we are weakening; and with hostile natives, opportunity will seem to be at hand for them to retake lost territory.

If the bill should pass to-day, it would be impossible, according to my notion, to transport troops over and bring back those required to return within the time fixed by law, unless we either buy or hire a large addition to our fleet of transports. To buy more would seem to be a great waste, as we can hardly have continuous use for so many; and to hire means practically to buy and yet not own, because we must take vessels now employed in carrying passengers or freight and rig them out for Army transport service. This requires almost a reconstruction of each vessel, and would cost immense sums of money and consume much time.

In hiring such vessels we must pay first for the time the vessel and her crew are at our disposal and in use, including time of fitting up and unfitting; second, for overhauling and putting in all the extras required for transport service; third, for taking the same all out and putting the vessel back into proper condition, so she may continue in her original trade or business.

But, Mr. President, notwithstanding my reluctance to enter



into debate, I can not keep silent in view of some of the suggestions and statements made this afternoon, which, it seems to me, ought not to pass unchallenged—statements that are dogmatic, grossly incorrect, and that I can not permit to go by without notice.

I have failed to hear from anybody on this floor any argument to show that we should not have a standing army. I have not heard any argument or any assertion from anyone that a volunteer army was not a good one. I have not heard any Senator state that the bill seeks to enlarge the Army beyond a maximum that is considered necessary at the present time—100,000 men.

Yet we are asked from time to time why we want a standing army of 54,000 men and why we want a temporary army, if you please, of 50,000 men. We are taunted continually with not having sufficiently answered the question, while with the same breath in which comes the question comes the admission that our present need is 100,000 men in the United States Army.

It appears to me, after listening to all the debate, that we can ask the question, Why not have an army of 100,000 men, as this bill provides? I have not heard any argument here yet why we should not have a regular standing army of 54,000, or why we should not have an army, regular and temporary, of 100,000 at this time.

The proposition, then, is allowed on all sides that we need 100,000 men. Then the only difference can be as to how that army shall be made up. From the other side the proposition comes that we will order an army of 100,000 men; that the President shall not have control over it, so far as enlarging or diminishing it is concerned; and that Congress must meet and deliberate upon it before it can be made smaller or larger, until the end of the period provided for in such act.

On our side the proposition is made that we propose to have a standing army of 54,000, and not 100,000, with the intention to keep it at that figure; but that we will have a regular standing army of 54,000, and we shall have, in addition, a temporary army of the difference between 54,000 and about a hundred thousand, so constituted that not only can the President make it smaller, but Congress can do the same at any time.

I fail to see any advantage in any proposition coming from those who differ with this bill, over what we propose, as to the temporary nature of the Army.

Mr. ALLEN. What do you want to do with it?

Mr. WARREN. I can not see that any argument has been made or evidence offered to maintain the proposition that it is either more economical or safer to make a temporary force, which shall end in two or three years or at some arbitrary time, than to make a temporary force that is within the hands of both the President and Congress, so that during the interim between the meetings of Congress the President can handle it, and reduce the Army if circumstances will admit of it, and Congress, of course, can take it up at any time if it is considered that the President moves too slowly.

Now, Mr. President, the Senator from Georgia [Mr. BACON] stated here this afternoon, dogmatically, that we do not need a Regular Army of 54,000 men. If he made any argument to sustain his assertion I failed to hear it. The Senator from Colorado [Mr. TELLER] says that the present Administration means to make it a regular standing army of 100,000 men, and never reduce it. That is a dogmatic statement also.

I want to say to that Senator, and to every other Senator, that I do not know of a single man in an executive capacity in this Administration, nor do I know anyone who has had connection with framing the pending bill, who has any idea of maintaining a standing army at 100,000.

Mr. TELLER. Mr. President—

The PRESIDING OFFICER. Does the Senator from Wyoming yield to the Senator from Colorado?

Mr. WARREN. Certainly.

Mr. TELLER. Will the Senator allow me to suggest to him that in the last two messages the President has recommended 100,000 men, not for this emergency, but as a regular standing army? He will find it if he will look over the messages.

Mr. WARREN. And both the messages have come at a time when we needed 100,000 men, according to the testimony of the Senator from Colorado himself.

Mr. TELLER. If the Senator will allow me, I will state that the first one was in a time, as I said to-day, of profound peace. There was no war or rumors of war or expectation of war. He recommended 100,000; and the Republican House of Representatives was sufficiently in harmony with that suggestion that they passed it through, practically by their full vote.

Mr. WARREN. Mr. President, will the Senator give me the date on which he says the House passed a bill for an army of 100,000? I assume that the Senator will not say there was any action on the part of either branch of Congress to enlarge the Army to 100,000 before there were difficulties or before there were

signs of difficulty with Spain, because the records will not sustain such an assertion.

Now, when we ask why not have a standing army of 54,000, it may be well to make some comment upon the necessity for it. It seems to me, though, it is enough when the President of the United States in his official capacity says we need it—a man who has served four years as President of the United States, and has just been reelected by an unprecedentedly large popular vote; a man who was one of the bravest of the brave of those civil war volunteer soldiers the Senator from Colorado so eloquently referred to; a man who has been in public life and in Congress for many, many years, and who, on his judgment and on his honor and standing, states that we need this army.

Then take the Secretary of War, who came in from civil life and took his portfolio at a time when he must have been free from all the prejudices which might have surrounded others who had been in the Army; a man who is accorded by everyone to be a man of rare ability, a man of judgment, and a man of honesty. This Secretary of War says we need this army. The present Secretary came into service after we had had several Army bills before us and the matter had been fully discussed.

He proceeded vigorously to do his duty under his oath as Secretary of War, and every member of the Committee on Military Affairs upon this side and upon the other side of this Chamber knows that he has that independence which ignores or accepts, according to circumstances, the former habits and legends of the Army; he differs sometimes with rank and file, with line and field, with general and staff officers, in arriving at his own conclusions.

He comes in here, does this Secretary, after conducting the war in the Philippines and after handling the Army matters here, at home, and elsewhere, insisting that we need this army, and he advises us that 54,000 is less, rather than more, than we need as a standing force, and that 44,000 more are needed during the present exigency.

We have the Commanding General of the Army, a man who has grown gray in the service, and who has served in every war since the beginning of the civil war, and is not one of those despised Westpointers to whom the Senator from Nebraska [Mr. ALLEN] has referred. He recommends even more troops than this bill provides.

Mr. ALLEN. Will the Senator permit me?

Mr. WARREN. Certainly.

Mr. ALLEN. I do not desire the Senator to speak in that manner. I have said nothing which would indicate that I despise a Westpointer. Some of the most conspicuous of our soldiers on both sides during the civil war were Westpointers, and some of the most conspicuous failures as commanders—and if it were proper here I could mention names—were Westpointers.

So it is not a question whether a man is a Westpointer. I look over the Republican side and I see conspicuous volunteer soldiers on that side of the Chamber, the eminent chairman of the Committee on Military Affairs, the eminent soldier, now the Senator from New Jersey [Mr. SEWELL], and the eminent Senator from Vermont [Mr. PROCTOR], whose superiors as commanders during the civil war were not known, and they are not Westpointers.

Mr. WARREN. I accept the change or the correction.

Mr. ALLEN. There is no change at all. The Senator was simply mistaken, that is all.

Mr. WARREN. Very well, I acknowledge the mistake; but the present General Commanding the Army certainly is not one of those conspicuous failures who came from Westpoint to which the Senator from Nebraska alluded this afternoon.

Mr. ALLEN. No; the present eminent Lieutenant-General is a conspicuous example of the volunteer soldier.

Mr. TELLER. Mr. President—

The PRESIDING OFFICER. Does the Senator from Wyoming yield to the Senator from Colorado?

Mr. WARREN. Certainly.

Mr. TELLER. Mr. President, I want to challenge the statement made by the Senator from Wyoming that the General of the Army has recommended 100,000 men. He has recommended an Army of 76,000. That is what he has recommended, and it can not be found anywhere that he has recommended an Army of 100,000.

Mr. WARREN. Mr. President, I do not think the Senator and I differ at all about that, except on one point, and that is of what the regular standing army consists. The Senator insists that we are providing for a standing army of 100,000 men, which we propose to keep in time of peace as well as war. That I deny.

Now, I want to assert again that the General, or more properly the Lieutenant-General, of the Army has declared not only in favor of 100,000 or 98,000 men now, but he came to the committee later on and made a most eloquent plea for adding three more regiments of artillery, which would have carried it to about 101,000 instead



of 98,000, and he also desired the additional artillery to be a part of the permanent establishment.

Now, Mr. President, we not only have the President of the United States, the Secretary of War, the Lieutenant-General of the Army, and the Adjutant-General in favor of an army of this size, but we have all the staff officers; and I may say that with one or two exceptions all of the chiefs of staff have been before the Committee on Military Affairs asking that their staffs be broadened and enlarged and that each may have a greater force than the bill provides.

The Committee on Military Affairs has cut down as far as it considers possible with safety the number of the proposed Army, and to-day the bill appears here not as large as is recommended by those who have a right to know what is needed, and who are our agents and representatives intrusted with the conduct of the Army.

If a man in business had an enterprise located in a foreign place, and he selected his agents and put them in charge of that business and asked them to take plenty of time and report to him a plan of action, stating how many clerks, if you please, how much money for expense, if you please, were required, and a general plan for that business, what would he do when they came before him and presented their plans? Why, he would say, my agents selected for the business are entitled to greater credit than some neighbor of mine who never saw the business—who never spent a day in the industry or in thinking about it, and who doggedly says we do not need this or that employee or thing.

It seems to me when we have men in the Army drawn from the best in the land, men who can not possibly make or receive one penny more for themselves by the passage of this bill, who have no interests in the world except the interests of the country they serve, men who have grown gray in wars and against whom not one word has ever been said as to their honor, who come here and say upon their honor we need this and thus and so, we can afford to take their judgment. It may be a matter of judgment only, upon which we can all differ, but I am willing to take their judgment—at least until some Senator who opposes the bill shall give some reason why we should not accept it.

We are told that the size the Army was before the Spanish war would be about right; and then some Senator gets enthusiastic about it and says we do not need any army, and practically claims that the millenium has arrived; that we are going to have a Utopian condition of affairs hereafter, and do not need any army.

Mr. President, if we need any army, then the question is open for debate as to the size of it. If I am wrong I hope somebody will correct me; but I have not yet heard a man on either side of the Chamber say that 100,000 men are too many for the present exigency.

Mr. TELLER. Nobody claims it.

Mr. WARREN. No; I thought not. So in this work now before us we are not providing any more men than we need to-day. On the other side of the Chamber they require that it shall be temporary, at the will of Congress only, and we on this side are willing that it shall be temporary as to the will of Congress just the same, but with the additional safety against too large an army that it can be reduced, and at the will of the President, in the meantime. Which is the better plan?

I maintain that there has been nothing offered here in the way of argument or amendment, or even suggestion, that makes it any better policy or makes our proposed forces any more an army of a temporary nature, so far as the number from 54,000 up is concerned, than does this very bill. It is not long since we had a law providing that 30,000 men should be the maximum of the Army. Congress was of an economical disposition, and so they appropriated for 25,000 men only, if I remember correctly, and the Army was thus reduced to 25,000 men. It is always an easy matter to reduce an army, but it is a hard matter sometimes to increase one.

Suppose the President should not take advantage as early as we think he should of this proposition of reduction, how long would it take, if Congress should refuse to appropriate for more than only what it thought fit, or if Congress should legislate directly for a smaller Army, to reduce it to that figure? How long will it take under the regular expirations of enlistment to reduce it?

The time of enlistment of soldiers in the Regular Army is expiring every day. It is the natural run of events for an army to decrease. Make your Army 100,000 to-day, and even to-morrow it is less, next month still less, next year it is very, very much less. We are now proposing, while we are at it, what we believe is the very least Army with which we can conduct the affairs of this nation, situated as we are at home and abroad.

This proposition of keeping the Army at 30,000 because it was once 30,000 is no more tenable than the proposition would be to put it at 10,000 because it was once 10,000. If I read the signs of the times correctly; if I read correctly the history of this country and its achievements, an army of 54,000 to-day is no more than an army

of 30,000 was when we had 30,000; and even an army of 100,000 now would be no more than an army of 10,000 in Jefferson's time—in fact, not so much.

Mr. President, I have heard no one deny that our former Army of 30,000 men was small enough, but when we had to do with that Army we had no coast defenses of consequence; we had a great portion of the Western country entirely wild and remote from everybody and every settlement; we had a territory from which many States have since been carved and are to-day represented on this floor which was then unoccupied and unguarded.

There were no troops there, no protection offered, and none attempted. We had only a part of our present frontier to provide for, a few tribes of Indians to look after, and the remainder we allowed to come and go as they pleased.

Since that time men have come here to Congress from States on the Atlantic and Pacific coasts and asked for appropriations for coast defenses. We have appropriated millions upon millions of money for these works and for the armament and the ordnance that goes in them.

It has been stated by Senators on the other side that with those guns and works it was necessary to largely increase our military force simply to take care of the property. We must keep those expensive guns and machinery in condition. There is no question, and there has been no question raised here upon any side, but that the coast defenses require more than 18,000 men—the Secretary of War says 24,000—and when you have got the 18,000 or the 18,500 on duty in those defenses, what have you got?

You have simply got one relief, who, if under attack, could only work just long enough to exhaust themselves. They could stand a quick attack, but they could not keep up a war. They could not resist an enemy who was persistent and continuous in its attack. That would require a very much larger force.

We are only attempting, if you please, to put men enough—and that will be about eighteen or twenty thousand—in the coast defenses about which we are talking so as to have one man in a place; and if these men were sleepless and tireless, of course they could operate the guns and machinery of those great works in order and working; but if you have an attack upon them—and I take it you would not have built such works unless you did expect them at some time to be attacked—you have to rush men immediately to the point of attack and inside of twenty-four hours, or you have an exhausted force that can not maintain itself against a vigorous foe.

You must have a reserve force of artillerymen stationed at convenient points, easily moved to any one of those coast points in time of attack, if you would have a safe country, if you would have any value from your coast-defense works, upon which you have expended so much money in erection, if you would preserve the integrity of the nation.

It has been said somewhat flippantly by at least one Senator who happens to live near the coast that all we need for an army is the 18,000 or 20,000 artillery, with possibly a company or a part of a company at this post or that throughout the interior of the United States. This statement is made without warrant.

While we have been in deep trouble with Spain and the Philippines, we have been exceedingly fortunate upon our frontier; but trouble with the Indians upon the frontier nearly always comes like lightning from a clear sky. We do not know when to expect it or when it may come.

It is said by some who do not know that such danger is all over with and past. To say that the danger of our having any trouble with the Indians on the frontier has passed is nonsense and worse than nonsense. We who have been upon that frontier for thirty years or more know that the great losses of life and the great losses of property to which we have been subjected have occurred because the Army was not sufficient; and when an attack came, before the Army or any portion of it, except, perhaps, a part of some company at a post, could get there, the damage would be done.

Are you going to forsake all that frontier, and are you going to leave your posts throughout the country entirely uninhabited? I maintain that there is just as much necessity for troops along the Indian frontier as there has been at any time; not to fight, but to prevent fighting.

The Indian measures the strength of this Government by what he sees. If he sees near him a force sufficient to overcome any attack he may make, he makes no attack. Are you going to put the price of your property and the lives of your wives and children against the naked, thoughtless, unsupported statement that there is no longer a force needed on the frontier, and that the Indians are all good?

We have Alaska. When we secured possession of that country we heard much against its being taken over as our property, and we heard much about the folly and foolishness of throwing away money to buy it; and it was unconstitutional, it was said. Alaska—a country that has paid for itself over and over again, and promises to yield up more precious metals than any other part of the

country; and, for that matter, it is an astonishing country outside of its gold development. We must have a force there; we have a small one there now, but it is not sufficient.

You have your islands in the Pacific and your islands in the Atlantic; you have your foreign troubles, and you have your Nicaraguan Canal in prospect. I maintain that, so far as a regular standing Army is concerned, it means exactly what the bill says—54,000 men. That is the only meaning of it. So far as I know, it is the understanding of those who intend to vote for the bill that the standing Army of the United States shall be 54,000.

I want to say that 54,000 is as low as the Army ever ought to go. What kind of a country have we that we undertake to say we need little or nothing in the line of an army, and yet we are spending millions and hundreds of millions of dollars for war ships and for coast defenses?

It is said we need only an army the size of that which we needed twenty years ago. If that is true, why do we not use the same old wooden tubs as war vessels that we used twenty or thirty years ago? Why build a navy, and a magnificent one that is an honor to the country, one that my vote has always been recorded for in its completeness, notwithstanding the fact that I seldom see salt water or the seacoast? Why are you making large appropriations for the building up of a great navy for the country, and then denying it men and appropriations for its Army?

Mr. President, we are at this moment the wealthiest nation of the world, nearly 40 per cent wealthier than any other; we have more gold than any other nation in the world; we have more silver than any other nation in the world; we have a debt of only 2 per cent of the value of our property, and less than any but one other country (Germany); we are fourth in the world in wealth per capita.

We have one-tenth of the commerce of the world, and we are going to have more, I hope; we are the third in our exports and imports of the countries of the world; we are fifth in the carrying power of the world; we have more than two and one-fourth times as much money invested in railroads as any other country on earth; we have more than twice as much invested as any other country except Great Britain; and we carry our freight at only one-fourth to one-third of the price per ton per mile charged and collected by other countries.

Mr. TURLEY. Will the Senator allow me to ask him a question?

Mr. WARREN. Certainly.

Mr. TURLEY. I have heard the Senator's eloquent description of all that we have accomplished in the way of commerce and wealth and the happy condition we are now in. I would ask the Senator if it is not true that we have accomplished all these great results with an Army of 25,000 men?

Mr. WARREN. No; it is not true.

Mr. TURLEY. For more than thirty years, for nearly half a century, we have had an Army of but 25,000 men; and if you will take the statistics they will show that all this great increase has come in that time.

Mr. WARREN. I will state to the Senator from Tennessee that if he will examine the statistics he will find there never was a time, in all those years, when the increase was ever so great as since we have had the Army we now have, of about 100,000 men. The statistics show that the great increase has come in the last two or three years, while we have had a great Army. But, perhaps, the size of the Army has had nothing to do with the matter.

Mr. TURLEY. I happen to have the statistics here, and, if the Senator will allow me, I will state that those statistics come down to 1899. I have analyzed them from 1870 to 1899 as to our foreign commerce. I have not carried the figuring further. The statistics show that the increase in our foreign commerce, mainly in exports, from 1870 to 1899, was \$1,095,441,615, and it has increased regularly. I have analyzed it by ten-year periods.

From 1870 to 1880 we increased \$674,000,000; from 1880 to 1890 we increased \$143,000,000—those are in round numbers; from 1890 to 1899 we increased about \$370,000,000.

Mr. CLARK. Will the Senator give us the figures by years and not by decades?

Mr. TURLEY. The average increase in some years is greater than in others. Sometimes the exports and imports would fall one a little below the other, but there has been a gradual and constant increase during this period, now of thirty years, that I worked out here; and it is during that period that we have acquired our great commercial prominence and the condition which was so eloquently described by the Senator from Massachusetts [Mr. LODGE] the other day.

Mr. CLARK. Will the Senator be kind enough to give us the increases in 1897, 1898, and 1899, as compared with the previous three or four years?

Mr. TURLEY. They were very wonderful and large increases, but we had no such army in 1897 or in 1898 as is now proposed.

Mr. CLARK. I will confine my question to 1898 and 1899. Will the Senator give us the increases in those years?

Mr. TURLEY. I can state that in 1898 and 1899 the increase was with nations with which we were at peace, and there is not one dollar of that increase which can be attributed to the enlistment of a single soldier.

Mr. CLARK. Simply a coincidence.

Mr. TURLEY. It is no coincidence. It is the regular result of a condition of affairs which has existed for thirty years, and one secret of it is that we have been free from the burden of taxation that a large standing army entails.

Mr. WARREN. I will relieve the mind of the Senator from Tennessee by saying that my remarks were not directed to prove that a larger army caused this increase. I do not intend to drift into what the Senator would term commercialism and against which he is hedging. I was simply stating the present condition of this country, preparatory to my making some other comparisons.

Mr. TURLEY. I should like to ask the Senator to allow me to state one other thing in connection with this matter, if I am not trespassing on his time, and then he can reply to it if he so desires.

Mr. WARREN. Very well.

Mr. TURLEY. Take the statistics of this foreign commerce and compare it with the cost of this increased Army, which is claimed to be necessary in order to hold the Eastern islands which we are seeking to acquire dominion over in order to secure additional markets for our trade.

The annual increase for these thirty years in our foreign commerce was about thirty-six or thirty-seven million dollars, if you take it by these periods, and the yearly increase in the cost of the Army, which it is said is necessary to maintain our commercial supremacy with the world, is over \$120,000,000 for the Army alone. In other words, under this policy we are expending four times as much in order to maintain this commercial supremacy as the increase in the supremacy has been year by year, and so it will continue.

Mr. WARREN. I still think the Senator is shooting at something that I have not set up as a mark. My statements were in another direction, and I will finish what I was about to say.

We were considering the condition of our country to-day as compared with that of other countries. I spoke of railroads. We have two and one-fourth times as much invested in railroads as any other country in the world.

I spoke of our carrying trade for from a quarter to one-half per mile per ton less than that of any other nation. I want to add to that that we are producing more than one and one-half times the amount of grain and breadstuffs produced by any other country in the world; we are producing more than twice the meat products of any other country in the world; we are producing more coal than any other country; we are producing as much cotton as all the world besides, and we are producing more wool than any other country in the world, excepting Australia and the River Plate country. So that in all that goes to make a country independent and great we certainly stand at the head. We have our meat and bread, the two greatest food products of the world, standing far above any other country in quantity and quality, and we have our cotton and our wool for clothing.

Now we come to our manufactures. We find that we have one and one-half times as much iron, twice as much steel, and one and one-half times as much manufactured hardware as that of any other nation in the world. We find in textile manufactures we exceed all countries in the world but one—Great Britain.

After making this statement, which can not be refuted, can it be said, will it be said, that we can not support an army which is but a toy army in size compared with the armies of other nations? We have a longer line of seacoast than that of almost any other nation—and perhaps I can say than any nation; we have to admit that we have accepted responsibilities far away from the mainland; and we have acquired territory that we propose to hold and protect.

We have the Philippines. What may be the outcome there we do not know, but we all agree upon the fact that we are going to have and to hold army enough there to solve the problem. We have Hawaii, we have Guam, we have interests in Samoa, we have Porto Rico—and we are going to hold them.

Now, Mr. President, where do we stand, comparatively, with other nations as to the Army? I have shown that we are infinitely greater in all that produces and sustains an army. Now, what comparison have we to make with other countries in respect to standing armies? Take the principal nations.

If we should keep an army of 100,000 men, mind you—if we should remain on a war footing—we would then be but the twelfth, compared with the other nations of the world when they are on a peace footing. We, on war footing, only twelfth to other countries on peace footing; and we would stand at the very bottom of the list of twenty nations if we put our Army on a peace footing against their armies on a peace footing.



I submit a table showing this:

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,  
Washington, August 28, 1900.

According to the latest available sources, which are considered fairly reliable, the peace and war strength of the armies of the nations mentioned below is stated to be as follows:

Nation.	Peace strength.		War strength.
	Officers.	Men.	
Austria-Hungary, 1899	26,454	335,239	1,872,178
Belgium, 1899	3,472	48,030	163,000
Brazil, 1897	2,300	25,860	—
China	—	300,000	1,000,000
France, 1900	29,740	586,735	2,500,000
Germany, 1899	23,230	562,266	3,000,000
Great Britain, 1900	11,904	247,237	503,484
Italy, 1898	14,084	310,602	1,304,854
Japan, 1898	6,356	115,673	407,963
Mexico, 1898	2,068	30,075	151,500
Persia	24,500	24,500	105,500
Portugal, 1899	1,804	30,000	157,126
Roumania	3,280	60,000	171,948
Russia, 1900	36,000	860,000	3,500,000
Servia, 1897	—	160,751	353,366
Spain, 1899	—	98,140	183,972
Sweden, 1899	—	2,513	327,000
Switzerland, 1899	—	—	509,707
Turkey, 1898	—	700,620	900,000
United States, 1900	2,587	65,000	100,000

<sup>1</sup> Estimated.

<sup>2</sup> Available men liable to military service.

<sup>3</sup> Estimated on present organization to have over 3,000,000 trained men. War strength not given.

<sup>4</sup> Of this number 74,288 are Indian troops.

<sup>5</sup> In addition there are maintained in the colonies 9,478 officers and men.

<sup>6</sup> Approximately.

<sup>7</sup> No standing army.

Now, suppose we take the proportion of population to standing army and compare ourselves with other noted countries which have made great successes. In the proposed Army bill our peace footing as to our population would be a little less than three-quarters of one soldier to a thousand persons. This is less than one-sixth that of any other first-class nation; in fact, it is less than one-sixth of any of the 20 nations which stand the highest commercially.

So far as other countries are concerned, take, if you please, those which have scored the greatest successes next to our own, and Great Britain has 10 soldiers to our 1, compared with population, and we stand with France in the relation of 1 to 25.

I submit a table showing these comparisons:

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,  
Washington, December 8, 1900.

Peace strength of the armies, population, and percentage of former to latter of the principal countries of the world. This table is not strictly accurate at the present time, because the dates of censuses vary. In preparing this table the latest published census has been taken for population, and the countries are arranged in order of their percentages:

Nation.	Peace strength.	Population.	Percentage.
France	616,475	38,517,975	1.6
Norway	30,900	2,000,917	1.54
Germany	585,896	52,279,901	1.1
Roumania	63,280	5,800,000	1.1
Italy	324,686	31,856,675	1
Greece	25,333	2,433,806	1
Servia	22,448	2,312,484	.97
Austria-Hungary	361,693	41,357,184	0.87
Sweden	40,152	5,062,918	.79
Belgium	51,502	6,669,732	.77
Russia	896,000	128,932,173	.69
Great Britain and Ireland	259,141	38,104,975	.68
Turkey	244,000	38,791,000	.63
Portugal	31,804	5,049,729	.62
Spain	98,140	17,565,632	.56
Netherlands	27,696	5,074,632	.54
Denmark	9,769	2,185,335	.45
Japan	122,029	43,745,353	.30
Mexico	32,143	12,630,863	.25
Brazil	28,160	14,333,915	.19
United States	67,587	76,295,220	.089
Switzerland *	—	3,119,635	—

\* Switzerland has no standing army, but every citizen has to bear arms. The first class (elite), composed of men between the ages of 20 and 32, has from forty to eighty days' training the first year, and every second year thereafter sixteen days. About 18,000 men join the elite annually.

The Senator from Colorado [Mr. TELLER] said that this is a Republican measure. Mr. President, we have had a great many Republican measures of which I have been proud. The Army bill is a national business measure and not a partisan measure. We had a measure not many years since, however, that was not a Republican measure—a measure that was handled in this body by my friend, the Senator from Arkansas [Mr. JONES], who, as I remember it, had charge of it—in regard to the tariff. He may indorse that measure; he may still maintain that it was a good measure; he may stand up here and say that it was a Democratic measure.

I am glad to say, emphatically, it was a Democratic measure. That was the Wilson-Gorman bill. Is that Senator or his party proud of that measure? The country at large is not proud of it. I am glad to say that since that time another, a tariff measure, has been passed which can properly be called a Republican measure.

I want to say that I am glad that measure did pass, and I want to say, furthermore, that a great portion of the success of the country of which I have been speaking came after the change and after that other measure was passed; and there never has been a time in the history of this country, under any kind of a tariff bill, when we were doing better than we are now, notwithstanding we need an Army of 54,000 men, or about three-quarters of a man to a thousand of our population.

Mr. President, making my acknowledgments to the Senator from Colorado for his most kindly reference to myself as a volunteer soldier, I wish to say that it is as a volunteer soldier and because of my experience in the ranks as a volunteer soldier that I stand here and insist that we need a standing army for this nation, and that we need not less than 54,000 men. I wish it were a little more than that.

It is said that a little leaven leaveneth the whole loaf, but you must have a little leaven. If you are going to have a volunteer army, you must have at least a nucleus of men able to instruct that volunteer army so that it may meet with success as a volunteer army. It is necessary that volunteers should have the benefit of the teachings of those who are educated in war, or they must get it by experience in time of war and be unprepared in the meantime.

It seems to me that if we make an army of 100,000 men, about one-half of it temporary, and reduce it along as the terms of enlistments come to an end, we shall all the time have an army that is made up of men who are under training for service.

Take the volunteer force, Mr. President. They volunteer to fight, and the kind of an army which has been alluded to here, and alluded to in complimentary terms, as it should be, is an army that enlists for war and not for peace; the men enlist because they want an opportunity to fight the battles of their country. They do not enlist to stand guard duty; they do not enlist to go into our earthworks, if you please, or our fortifications. They are a different class of men.

Most of the volunteers who enlist when war is on will do their duty, of course, but they lose interest just as soon as they have to take to the shovel instead of the bayonet; they lose interest just as soon as they have to stand guard, instead of being out where they can have a brush occasionally with the enemy.

The warfare that we now have on in the Philippines is of a peculiar nature. It is devoid of the excitement of the rush of battle which occurs in our great crises. We now want guards, sentinels, and pickets for the Philippines. We have 400 or more temporary posts located there.

We want to put a handful of men here and a handful of men there, and they are really doing little but guard duty. To do that duty well you want men who are enlisted in the Regular Army, who understand what they are to do and will do it as a part of the duty for which they enlisted.

It seems to me, as a business proposition, we ought to pass this bill soon. That is unquestioned. We should build an army that is symmetrical, and in building this army it is most symmetrical at 50,000. It is heavy and unsymmetrical if you hold it at a hundred thousand, because the officers which you have are only sufficient to properly handle 54,000 men, and that is the best evidence of the good faith of the measure, that you are providing officers for only 54,000 men.

If you are to have volunteers, you must have your young men educated at home in their States in the militia and at schools and colleges. You should have men who have passed Westpoint and who have become thoroughly educated in the arts of war, and who are thoroughly familiar and are thorough teachers at every school where you have the youth of America, if you propose to keep up your standard of the volunteer soldier. Reduce it to 54,000, take the men who are necessary, and who have always been considered necessary for that use, and you can barely get along, under proper discipline, with 54,000.

Mr. President, I am not going to tire myself or the Senate with any extended remarks, but I wish to say again that I repel the assertion as untrue in every particular, that it is the intention of those who are presenting the pending bill on this floor to deceive the public and to hold the Army at 100,000 men in times of peace. Mr. President, war is grim-visaged and terrible in any event, but war, though always dreaded but sometimes necessary, is a business, and much more so is the preparation for war; and if the Government would have best results and economical cost, we must handle war and war preparations upon business principles.

This can not be done with temporary makeshift legislation. It is unsatisfactory alike to enlisted men and officers. The American people, in time of difference with a foreign foe, can, by appeals to patriotism, be enlisted rapidly and from the best material, and

they will fight valiantly and do good execution even if not fully drilled and disciplined.

But war sometimes comes unexpectedly and suddenly, and we are compelled to order men into the field with very little preparation. Hence let us at least have enough in our standing Army to insure us a fair number of instructors and guides with which to at least mold into shape the new and raw material for a larger army in case of trouble from within or without, or, better yet, to create an army so formidable that its strength will serve to prevent trouble.

Mr. FORAKER. I move that the Senate proceed to the consideration of executive business.

Mr. ALLISON. I ask the Senator from Ohio to withdraw the motion for a moment.

Mr. FORAKER. Certainly.

Mr. ALLISON. I think we have reached a stage in the business of the session where we ought, at least until the Army bill is completed, meet at 11 o'clock. I hope that, by unanimous consent, when we adjourn to-day we will adjourn until 11 o'clock to-morrow. I ask that that may be done.

Mr. JONES of Arkansas. I do not want to interfere with whatever course the majority may take in the matter of the hours of meeting and adjourning, but I wish to suggest to the Senator from Iowa that there are reasons why that practice should not be entered on now. One committee I know of, the Committee on Indian Affairs, is busy with the preparation of an appropriation bill, and for the Senate to meet at 11 o'clock will make it very difficult for due consideration to be given to the preparation of that bill. I am satisfied its passage through the Senate will be facilitated very much by having time enough carefully to perfect the bill. The committee is to meet to-morrow morning. The notices are already out for half past 10 o'clock.

Mr. ALLISON. Then I will modify my request by asking unanimous consent that after to-morrow, unless this bill shall be completed to-morrow, the Senate shall meet at 11 o'clock.

The PRESIDING OFFICER (Mr. LODGE in the chair). The Senator from Iowa asks unanimous consent that, if the pending bill is not completed to-morrow, after to-morrow the Senate shall meet at 11 o'clock. Is there objection?

Mr. PETTIGREW. I do not desire to object, but I do not think we had better establish that rule now. So far as I am concerned, if we do not come to an understanding to-morrow for a vote next day, I shall be perfectly willing that on the next day we shall meet at 11 o'clock, and I shall offer no objection; but I do not like to make the arrangement now.

Mr. ALLISON. I only intended the request to apply to the Army bill, and I will withdraw it at the suggestion of the Senator from South Dakota.

Mr. PETTIGREW. I think we can now come to a vote on this bill very soon.

Mr. ALLISON. I withdraw the request at the suggestion of the Senator from South Dakota.

#### EXECUTIVE SESSION.

Mr. FORAKER. I renew my motion that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After fifteen minutes spent in executive session the doors were reopened, and (at 5 o'clock and 50 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, January 16, 1901, at 12 o'clock meridian.

#### CONFIRMATIONS.

*Executive nominations confirmed by the Senate January 15, 1901.*

ASSISTANT REGISTER OF THE TREASURY.

Cyrus F. Adams, of Illinois, to be Assistant Register of the Treasury.

DEPUTY AUDITOR FOR THE POST-OFFICE DEPARTMENT.

Nolen L. Chew, of Indiana, to be Deputy Auditor for the Post-Office Department.

#### HOUSE OF REPRESENTATIVES.

TUESDAY, January 15, 1901.

The House met at 12 o'clock noon. Prayer was offered by the Chaplain, Rev. H. N. COUDEN, D. D.

The Journal of yesterday's proceedings was read and approved.

INAUGURATION EXPENSES MARCH 4, 1901.

Mr. BINGHAM. Mr. Speaker, I am directed by the Committee on Appropriations to report back Senate joint resolution 142 with an amendment, and ask for its immediate consideration.

The SPEAKER. The gentleman from Pennsylvania, by direction of the Committee on Appropriations, reports back with amendment joint resolution 142, and asks for immediate consideration thereof. The Clerk will report the resolution.

The Clerk read as follows:

Joint resolution to enable the Secretary of the Senate to pay the necessary expenses of the inaugural ceremonies of the President and Vice-President of the United States, March 4, 1901.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled.* That to enable the Secretary of the Senate to pay the necessary expenses of the inaugural ceremonies of the President and Vice-President of the United States, March 4, 1901, in accordance with the programme adopted by the committee of arrangements appointed under resolution of the Senate of the 11th day of December, 1900, including the pay for extra police for three days, at \$3 per day, there is hereby appropriated, out of any moneys in the Treasury not otherwise appropriated, \$5,000, or so much thereof as may be necessary, the same to be immediately available.

With the following amendment recommended by the committee:

In line 12, strike out the word "five" and insert "seven."

Mr. RICHARDSON of Tennessee. Mr. Speaker, I want to ask the gentleman if this is the usual resolution, or is it more than has been formerly appropriated on such occasions.

Mr. BINGHAM. It is a joint resolution of the Senate referred to the Committee on Appropriations and reported back by the committee with an amendment increasing the amount from \$5,000 to \$7,000, and if the gentleman from Tennessee wishes I will make an explanation.

Mr. RICHARDSON of Tennessee. Is it not rather unusual for the House to raise the amount of an appropriation bill from the Senate? I thought the opposite was the usual course. [Laughter.]

Mr. BINGHAM. This is an expenditure of money that does not come from the contingent fund, but is a fixed appropriation, and from which the House receives special and direct benefit.

Mr. RICHARDSON of Tennessee. I asked the gentleman if it is not unusual for the House to raise an appropriation from that fixed by the Senate?

Mr. BINGHAM. We do raise it \$2,000.

Mr. RICHARDSON of Tennessee. Does the gentleman think it is necessary to make that increase?

Mr. BINGHAM. I will submit to the gentleman. The resolution of the Senate is identical with the resolution four years ago whereby a center platform was erected that had accommodations for 3,000 seated guests. It is the intention, after conference with the Sergeant-at-Arms of the two Houses, to make an expansion of the seating capacity so that each flank from the center platform will be seats for 2,100 guests of the Senate and 2,100 guests of the House, for which tickets will be issued by the Sergeants-at-Arms of the respective Houses. There has been serious complaint heretofore that sufficient convenience has not been given to the guests of the members of the two Houses. This, it is believed, will obviate that criticism so that the seating capacity will be a little in excess of 7,000 guests, or seats.

The committee, upon inquiry, found that the building of this platform would be let to the lowest responsible bidder, that the seats in distribution would be in control of the two Houses, of the respective Sergeant-at-Arms.

Mr. RICHARDSON of Tennessee. Will be in control of whom? I could not hear the gentleman.

Mr. BINGHAM. The seats on the House flank will be under the control of the Sergeant-at-Arms of the House.

Mr. RICHARDSON of Tennessee. Where are they to be located?

Mr. BINGHAM. Immediately on the flank of the center platform, the entrance on the outside, the parties receiving the tickets to enter from the outside and go to their seats. The Senate seats will be on the other flank and will enter from the Senate side of the platform. Those who go on the center platform will be such parties as have the right to the entrance to the Capitol by ticket, as heretofore, two tickets for each member of the House, as heretofore, four tickets to each member of the Senate. The Cabinet and the Supreme Court, the members of the next Congress, Senators, Representatives, the foreign legations, all the employees of the House who are within the limits of its walls, will have the right to go upon the center platform, but the distinct right of the flank platforms, covering 2,100 feet for each Chamber, will be within the absolute control of the Sergeants-at-Arms of the respective Houses. This, it is assumed, will give to each member six additional seats.

Mr. GROSVENOR. I would like to ask the gentleman if it would be an unfair advantage to give the 357 members of the House as many tickets as the eighty-odd members of the Senate have?

Mr. BINGHAM. This arrangement has been the rule heretofore adopted, and the committee did not feel that it should vary it. I will state that in the sum total, when you come to multiply 357 by 2, and when every member has the right to enter without a ticket, and members of the next Congress without a ticket, it will be found that it is a fair distribution of the seats.

Mr. GROSVENOR. How many additional tickets will this arrangement give to each Senator?

Mr. BINGHAM. That is a Senatorial courtesy we did not make any infringement upon.

Mr. DALZELL. Mr. Speaker, I want to call the attention of my colleague from Pennsylvania to the fact that in the joint resolution which he presents there is no recognition of the House in



any shape or form. This is a proposition to enable the Secretary of the Senate to pay the necessary expenses connected with the inaugural ceremonies, etc., and to provide for the carrying out of the programme devised by the committee on arrangements appointed by the Senate.

Mr. BINGHAM. But my colleague understands, of course, that the proceedings are in the Senate.

Mr. RICHARDSON of Tennessee. Does not the gentleman from Pennsylvania know that it has always been the case almost invariably since the foundation of the Government down to the present time? Now, does not the gentleman think it time to try to change that and give the House some voice in these proceedings again? [Applause.]

Mr. DALZELL. I agree with the gentleman from Tennessee that there should be some change in this proceeding.

Mr. RICHARDSON of Tennessee. I hope the gentleman will stand upon that suggestion.

Mr. CLARK. I would like to ask the gentleman from Pennsylvania a question.

Mr. BINGHAM. I yield to the gentleman.

Mr. CLARK. As I understand it, the Senate will have 360 tickets and the House 720, making a total of 1,080 tickets. Now, what becomes of the other 1,930 tickets? Who gets them?

Mr. BINGHAM. If the gentleman will allow me, in the first place each member of the House is entitled to two tickets.

Mr. CLARK. That makes 720 tickets.

Mr. BINGHAM. That admits to the Capitol and to the ceremonies in the Senate and to the central platform.

Every member of the House, 357 in number, of right enters the Capitol without a ticket, and each duly employed subordinate in the House is also privileged to enter the House without a ticket.

Mr. RICHARDSON of Tennessee. And enter the platform also without it.

Mr. HOPKINS. Will the gentleman allow me?

Mr. BINGHAM. Let me first answer the gentleman from Missouri.

Mr. HOPKINS. Mr. Speaker—

The SPEAKER. The gentleman from Pennsylvania is entitled to the floor and has yielded to the gentleman from Missouri.

Mr. BINGHAM. I prefer to answer the question of the gentleman from Missouri first.

I was going on to say, in response to his inquiries, that the Supreme Court, the Cabinet, the foreign legations, I suppose—the President receives a number of tickets for distribution among the heads of departments, also—and all these tickets will be distributed under the direction of the Sergeant-at-Arms of the Senate. Heretofore that distribution has been such that the Senatorial platform where the ceremonies took place has been unduly crowded, and in order to relieve that condition of affairs so that the members of the House and their visiting constituents may have an opportunity of observing the proceedings, it has been deemed wise by the Sergeants-at-Arms of the respective Houses that there should be flanking platforms, to be entered from the outside, capable of seating 2,100 guests. The House Sergeant-at-Arms will have control of the 2,100 tickets for the House, and the Senate the 2,100 tickets for the use of that body.

Mr. CLARK. Well, but who gets the tickets to enable us to take our guests or constituents to the flanking platforms of which the gentleman speaks?

Mr. BINGHAM. You enter the platform from the outside—

Mr. CLARK. I understand that. But how are you going to get on the flanking platform—by what means?

Mr. BINGHAM. Why, you get on from the outside, as I stated.

Mr. CLARK. But the gentleman does not understand me. How are you going to get the tickets for the seats on these platforms? How many tickets does each member get for them?

Mr. BINGHAM. Oh, each member is entitled to six or seven tickets.

Mr. CLARK. Then what goes with the other 1,560 tickets to the main platform?

Mr. BINGHAM. As I have stated, the control of these tickets has been heretofore in the Senate.

Mr. CLARK. But how are the members to get their tickets?

Mr. BINGHAM. Through the Sergeant-at-Arms of the House. I trust the House now understands the distribution of these tickets. I yield to the gentleman from Pennsylvania, Mr. DALZELL.

Mr. DALZELL. I do not care to make a speech in the time of my friend from Pennsylvania, but only wish to call the attention of the House for a moment to what has been the custom in this matter heretofore. Up to four years ago, I am informed, it has been the custom to have a joint committee of the House and Senate to take cognizance of these inaugural ceremonies, and make preparations for them. The present resolution is entirely a departure from that custom, and I am very strongly in favor of going back to the old plan. [Applause.]

Mr. RICHARDSON of Tennessee. I hope the gentleman will stick to that suggestion.

Mr. BINGHAM. I would state that the proposition of the gentleman from Pennsylvania [Mr. DALZELL] was not entertained in any form whatever by the Committee on Appropriations. They took this reference in form of precedent, word for word, and simply in recognition of the wants of members to meet the calls of their constituents, approved the plan submitted by the Sergeants-at-Arms of the respective Houses. Beyond that they did not go.

Mr. GAINES. Will my friend yield? He stated something a few minutes ago about letting out a great lot of these tickets, or letting out the privileges to the highest bidder.

Mr. BINGHAM. I know nothing about that.

Mr. GAINES. You said something of that sort a few minutes ago.

Mr. BINGHAM. Oh, no; I could not have said that. Such a thought was not in my mind; therefore I could not have said it. There is no bidding about it.

Mr. ROBINSON of Indiana. The bidding on the building of the platforms was what the gentleman referred to.

Mr. BINGHAM. The inquiry was made, "How do you propose to build these platforms?" and the answer was, "In the usual way—by advertising and accepting the bid of the best responsible bidder."

Mr. GAINES. Now, my question suggests another. I have been informed here by the citizens, and, indeed, by some of the members of this House, that privileges are let out here to sell tickets to these various platforms, and that the tickets thereto fall into the hands of sharks, and that the people who come here from all over the United States to view these ceremonies are robbed by being charged from five to ten dollars a ticket. What about this and our power to prevent such a wrong?

Mr. BINGHAM. If the gentleman will allow me, this matter which we are considering here this morning is the official act of Congress relating to the inaugural ceremonies of the President and Vice-President of the United States, a thing wholly independent of what proceeds on the streets of the city relating to seeing the moving show.

Mr. GAINES. Who has control of that?

Mr. BINGHAM. This matter here is the preparation for the inauguration of the President of the United States and the Vice-President, controlled by the respective Sergeants-at-Arms of the two Houses.

Mr. GAINES. Well now, one moment.

Mr. BINGHAM. It has nothing to do with the parade.

Mr. GAINES. Who has control of the procession along the streets?

Mr. HULL. The thing which the gentleman from Tennessee has reference to is the matter of these concessions on the different streets outside.

Mr. BINGHAM. Certainly; those are the operations of the people of Washington.

Mr. HEPBURN. I should like to ask the gentleman from Pennsylvania a question.

The SPEAKER. Does the gentleman yield?

Mr. BINGHAM. Certainly.

Mr. HEPBURN. I should like to ask the gentleman from Pennsylvania why the House should have anything to do with the inauguration of the Vice-President? Is not that entirely a matter for the Senate? Is it not entirely analogous to our installation of our Speaker? It seems to me that the House has nothing to do with that; that it is entirely an affair for the Senate. It gives occasion for the invitation of the House there, from time to time, to be treated with extreme discourtesy, as it has been on every occasion during the last twenty years, to my knowledge. The House has been invited to participate. We have gone there and found that the head of the column could get inside of the Senate Chamber, but often found the seats occupied by the officers of the Senate, and it has always been an occasion of complaint and displeasure on the part of members.

Now, it seems to me that we ought to divorce ourselves entirely from this proceeding. We are interested in those observances that occur outside of the Senate Chamber. We have no interest in those that occur inside the Senate Chamber, and I think we should confine ourselves and our participation to those proceedings that are had on the platform. There is where the President of the United States is inaugurated. He is not inaugurated in the Senate. He is only received there as one of the additional guests to grace the occasion of the installation of the presiding officer of the Senate.

Mr. BINGHAM. The Vice-President of the United States.

Mr. HEPBURN. He is the presiding officer of the Senate, an officer in whom we have no further interest than they have in the inauguration of our Speaker; and I for one am entirely unwilling to have any joint participation in the ceremonies except those that occur in connection with the inauguration of the President of the United States, that always occur outside of the Senate and usually on the east portico.

Mr. BINGHAM. Now, of course, Mr. Speaker, I am not here to discuss the question as to what has been the courtesy or discourtesy of the Senate in the past. That, perhaps, is in the mind of the gentleman. I am free to say that it is not in my mind. The inauguration of the Vice-President of the United States is part of the ceremonies pertaining to the inauguration of the government for the next four years. Whether the gentleman desires to participate in that ceremony is a matter for him to determine. The Senate Chamber is limited in size. That members experience inconvenience for a short time there is no question, but we have heretofore received from the Senate what has been considered a fair allowance of the necessary tickets to see and hear the ceremonies pertaining to the inauguration of the President of the United States.

This resolution came to the Committee on Appropriations under the approved precedents of the House. It is identical with the resolution of four years ago, which went through the same line of legislative procedure.

Your committee reports it back with this added amendment, conscious and knowing the fact that heretofore much inconvenience, so far as the constituents of members are concerned, has been visited on the member, because he has been unable to give to those constituents an opportunity of seeing the ceremony. They have determined, upon consultation and consideration, to build these two flank platforms, one for the House and the other for the Senate. Your committee recognized the necessity and recommends it, and it is for the judgment of this House whether they will act upon the question. The simple question is as to whether we should have the platform for our own guests on the flank nearest to the House of Representatives, giving the members of the House 2,100 seats, to be distributed as each member may determine.

Mr. GROW. Will my colleague yield to me for a minute?

Mr. BINGHAM. Certainly, with pleasure.

Mr. GROW. The custom has undoubtedly continued of the Senate inviting the House to the Senate Chamber on the inauguration of the President and Vice-President, for originally the President was inaugurated in the Senate and delivered his inaugural speech there; and hence it was proper to invite the House to the Senate; and the Vice-President was inaugurated at the same time. That custom has continued down to the present time. After the inauguration of the President ceased in the Senate and it was provided for outside the same custom has continued. I agree with the gentleman from Iowa. I do not see any reason why the Senate should invite the House to the inauguration of the Vice-President. That is a matter that has continued by custom to be done since the time the President was inaugurated in the Senate. We should take part in the inauguration of the President in front of the Capitol. Of course, there is a good reason for that, but the reason has gone for our continuing to be invited to the Senate to see the Vice-President take the oath of office.

Mr. DALZELL. Mr. Speaker, at the proper time I want to make a motion to recommit this resolution with instructions.

Mr. RICHARDSON of Tennessee. I think, Mr. Speaker, that consent has not been given to its consideration.

The SPEAKER. It is too late to raise that question.

Mr. RICHARDSON of Tennessee. Consent has not been given.

The SPEAKER. It is too late to raise that question.

Mr. RICHARDSON of Tennessee. But, Mr. Speaker, consent was not asked of the House. The gentleman asked unanimous consent, and the Chair has never submitted it to the House. That we did go on asking questions, as we usually do, I know; but if we are to be on guard and expressly guard against consent being had that way, of course we can do so.

Mr. BINGHAM. I asked consent.

Mr. RICHARDSON of Tennessee. The understanding was that we reserved the right to object. I am not going to object, but I wanted to keep the matter so that we can do it.

Mr. BINGHAM. So far as presenting the joint resolution is concerned, I performed my function.

Mr. RICHARDSON of Tennessee. That is right.

Mr. BINGHAM. I know nothing about the record.

The SPEAKER. The Chair did not understand that the gentleman from Pennsylvania asked consent.

Mr. BINGHAM. I asked unanimous consent and immediate consideration.

Mr. BROMWELL. Mr. Speaker, may I ask the gentleman a question?

Mr. BINGHAM. With pleasure.

Mr. BROMWELL. The resolution provides that the 2,100 seats assigned to the Senate shall be under the control of the Sergeant-at-Arms of the Senate.

Mr. BINGHAM. The resolution does not provide it. The resolution simply makes an appropriation.

Mr. BROMWELL. What I wanted to get at was this: That gives to each Senator—90 of them—two hundred and thirty-odd seats for each one, for his guests. It gives to 357 Members less than 7 seats

each. There is not a Senator but what has representatives on this floor to look after their districts, and why should Senators have three hundred odd seats at their disposal?

Mr. BINGHAM. There are 90 of them, and the 2,100 seats are divided among them.

Mr. BROMWELL. It gives them four times as many as we have. Why should they have four times as many seats put at their disposal?

Mr. BINGHAM. This House is so much larger.

Mr. BROMWELL. That does not make any difference.

Mr. HOPKINS. Mr. Speaker, I desire to say to the gentleman from Ohio that at this stage of the proceedings I see no reason for the protest that he makes. After the House has abjectly surrendered to the Senate on the reapportionment in increasing the membership of the House, I think they will submit to anything that comes over here from the Senate. [Laughter and applause.]

Mr. DALZELL. Mr. Speaker, I desire to make a motion at the proper time.

The SPEAKER. Is there objection to the present consideration of the resolution?

Mr. SHATTUC. I object.

The SPEAKER. Objection is made.

Mr. SHATTUC. I withdraw the objection.

The SPEAKER. The Chair hears none. Does the gentleman yield to his colleague to offer a motion to recommit?

Mr. BINGHAM. I certainly do.

Mr. DALZELL. I move—

The SPEAKER. The Chair would call the attention of the gentleman from Pennsylvania to the fact that there must be a change made in his amendment. As the Clerk advises the Chair, it should be in line 12, instead of line 5. Without objection, the Clerk will make the change, so as to conform with the number of the line. There was no objection. The gentleman from Pennsylvania.

Mr. DALZELL. I move to recommit to the Committee on Appropriations, with instructions to report a resolution providing for the expenses of the inauguration of the President of the United States, to be had under a programme subject to arrangements to be made by a joint committee of the House and Senate.

The SPEAKER. The gentleman from Pennsylvania moves to recommit, with instructions that the Committee on Appropriations report back a resolution providing for the inauguration of the President of the United States. Does he include the Vice-President?

Mr. DALZELL. No.

The SPEAKER (continuing). The President of the United States, under the superintendence of a joint committee of the House and Senate.

The question was taken, and the motion to recommit was agreed to.

#### RIVER AND HARBOR APPROPRIATION BILL.

Mr. BURTON. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 13189, the river and harbor bill.

The motion was agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. HOPKINS in the chair.

The CHAIRMAN. The House is now in Committee of the Whole House on the state of the Union, in pursuance of the direction of the House, for the further consideration, of House bill 13189, and the Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 13189) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

Mr. McRAE. Mr. Chairman, I call attention to the paragraph relating to the Red River, which was passed over yesterday to be taken up at the end of the bill. I ask consent to return to that now in order that it may be perfected, if the gentleman from Ohio has no objection, and I think it will only take a moment.

The CHAIRMAN. Unanimous consent is asked that the committee return to the paragraph suggested by the gentleman from Arkansas. Is there objection? [After a pause.] The Chair hears none.

The Clerk read the committee amendment, as follows:

In line 8, page 55, after the word "for," strike out "Little Red River" and insert in lieu thereof "Little River from Scopine Cut-Off to Knox Point."

Mr. McRAE. Mr. Chairman, I suggest as an amendment to the amendment of the gentleman from Ohio, to insert the word "Louisiana" after "Little River." There are two Little Rivers tributary to the Red; one in Arkansas and the Indian Territory, and the other in Louisiana. My remarks yesterday were in reference to the Arkansas Little River and his amendment relates to the Little River in Louisiana.

Mr. BURTON. So that it shall read "Little River, Louisiana?"



Mr. McRAE. Yes; the other words of description are appropriate to the Little River in Louisiana and not to the river in Arkansas.

Mr. BURTON. I trust the amendment will be adopted, Mr. Chairman.

Mr. McRAE. And I also suggest that the word "said," in line 9, should be changed to "Red," so it will read "improvement of Red River."

Mr. BURTON. I will yield to the gentleman from Texas for an amendment.

Mr. SHEPPARD. I move that the word "Texas" be added after the word "Arkansas," in line 5, because it is in Texas.

The CHAIRMAN. The Chair will state to the gentleman from Texas that there is a committee amendment pending, and also an amendment offered by the gentleman from Arkansas. Without objection, the amendment suggested by the gentleman from Arkansas will be agreed to. Is there objection? [After a pause.] The Chair hears none. The question is now on the amendment offered by the gentleman from Ohio.

The question was taken; and the amendment was agreed to.

Mr. SHEPPARD. Now, Mr. Chairman, I move that after the word "Arkansas," line 5, the word "Texas" be added.

Mr. BURTON. I have no objection to that.

The CHAIRMAN. Without objection, that amendment will be agreed to. [After a pause.] The Chair hears none.

The Clerk, proceeding with the reading of the bill, read as follows:

Improving the Tennessee River from Chattanooga to Riverton: Continuing improvement, \$90,000; and the Secretary of War is authorized and directed to prepare an estimate of cost of improving said river at the Colbert Shoals by locks and dams.

Mr. MOON. Mr. Chairman, I desire to offer the following amendment.

The Clerk read as follows:

Insert, after the word "improvement," line 11, page 59, the following words: "Provided, That the engineer in charge may in his discretion expend such amount at any one or more places most worthy of improvement in accordance with the report heretofore submitted to the House by the United States engineers at this or any previous Congress."

Mr. BURTON. Mr. Chairman, I would like to have that amendment read again.

The CHAIRMAN. Without objection, the Clerk will again read the amendment.

The amendment was again read.

Mr. MOON. The purpose of this amendment, Mr. Chairman, is to enable the engineers, if possible, to place the full amount of the appropriation at some one point. I am aware that under the general provisions of the bill there is generally lodged in the Secretary of War and the engineers discretion to expend the money as they see proper, but as a matter of fact and experience the improvement from Chattanooga to Riverton has not been made at any particular point where perhaps most needed, but expended here and there as the emergency demanded, and has resulted in no great benefit either to the river, the people, or the Government from the expenditure. We want an expression from this House as to the power and authority of the engineer to place the improvement at any one or more points most worthy of improvement, in the discretion of the engineer.

I presume, under the language of the bill and the general law, that the discretion exists now, but the House knows that in these improvements there is a proper and natural disposition on the part of the engineer force to accommodate the people all along the line of the river, and the result is improvements made here and there of small and temporary value, and no work completed, and the real beneficial results from the improvement are not such as they would be from a consolidation of the work. I can see no objection to this House indicating that the engineer shall consolidate the improvements at some of the most worthy points. I submit that the chairman of the committee ought to take this view of the question and make no objection on this point.

Mr. BURTON. This amendment would really amount to nothing if adopted, because the engineer now has discretion to expend the money wherever he pleases on the stretch of the river described in the limits of the improvement.

But, contemporaneously with the amendment of the gentleman from Tennessee, I wish to state that I have received certain telegrams myself requesting that the bill be so amended, to provide for the expenditure of this \$90,000 near the city of Chattanooga. I presume that it is more than a mere coincidence that the resolution or the amendment proposed by the gentleman from Tennessee is on the same line with these telegrams.

But, with reference to the effect of the amendment, I think it would unnecessarily hamper the discretion which the Engineer now has with reference to the expenditure of the money on this improvement, and compel him to abandon that discretion to give attention to other portions of the river, and force him, as this resolution seems to contemplate, to confine the expenditure to one particular point.

I trust the amendment will not be adopted.

Mr. MOON. I desire to be heard—

The CHAIRMAN. The debate on the amendment has been exhausted.

Mr. MOON. I ask permission to address the committee for three minutes.

There was no objection.

Mr. MOON. Now, Mr. Chairman, I have nothing to conceal about this question. The people interested in the improvement of the Tennessee River have, with perfect propriety, sent these various telegrams to the chairman of the committee, to myself, and to other members of the House. It is a proper thing to be done. They know the necessities of the work along that river.

If the law gives power, or, as the gentleman asserts, that the Engineer has the right to expend the money at any particular point to accommodate certain localities instead of consolidating it at one point, then the amendment can do no harm. The suggestion that this limits their discretion has no weight, because it removes from them certain pressure for improvements in localities and enables them to concentrate the work where it will do the most good. They would have the same right to exercise that discretion under the amendment which they now have; but it simply indicates the opinion of Congress that it is willing that the engineers shall not be continually yielding to applications for work to be done here and there upon the river, but will exercise their judgment in concentrating the appropriations and consolidating the work where the greatest benefit will accrue for the navigation of the river.

This request comes from the Tennessee River improvement convention officers and the people living along the line of the river, who are chiefly interested in the progress of the work. There can be no good objection to the reassertion of the existence of the discretionary power in the Engineer. It is no special coincidence that these telegrams should come at the time this amendment is offered which induces on the part of the gentleman from Ohio adverse comment. It is a request of the people who understand the necessity of the work; that the money expended shall not be wasted in improving spots here and there along the river, but shall be expended at the discretion of the Engineer where it will do the most good and do away with the mistakes which have been made ever since 1817 in the expenditure of money for the improvement of this river. It is not improper that Congress shall specifically call attention by this amendment to the discretionary power in this respect which it is admitted the Engineer now has.

The question was taken on the amendment of Mr. MOON; and on a division there were—ayes 31, noes 63.

Mr. MOON. I ask for tellers on this vote.

Tellers were refused.

So, no further vote being taken, the amendment was rejected.

The Clerk read as follows:

Improving Tennessee River above Chattanooga: Continuing improvement, \$50,000.

Mr. BURTON. Mr. Chairman, I move to insert the amendment I send to the desk and ask to have read.

Mr. RICHARDSON of Alabama. I wish to call the attention of the Chair to the fact that I have an amendment to offer to the section which has just been read, preceding that to which the gentleman from Ohio moves his amendment.

The CHAIRMAN. The Chair will state that the chairman of the committee has sent an amendment to the desk, which will be first considered, after which the Chair will recognize the gentleman from Alabama.

Mr. RICHARDSON of Alabama. I addressed the Chair immediately after the gentleman from Tennessee [Mr. MOON] had risen for the purpose of offering the amendment which I desire to offer at the proper time.

The CHAIRMAN. The Chair will state that it is the uniform practice to recognize the chairman in charge of the bill.

Mr. RICHARDSON of Alabama. I have no objection in the world to that. But I simply did not desire to waive the right to offer the amendment before the section just read by the Clerk has been considered.

The CHAIRMAN. The Chair will recognize the gentleman immediately after this amendment is disposed of.

The Clerk will read the amendment proposed by the gentleman from Ohio, the chairman of the committee.

The Clerk read as follows:

At the end of line 16, page 59, after the word "dollars," add the following: "Provided, That so much thereof as may be necessary may, in the discretion of the Secretary of War, be expended on Richland Creek, so as to facilitate the landing of boats and navigation at that point."

The amendment was considered and agreed to.

Mr. RICHARDSON of Alabama. Mr. Chairman, I now offer the amendment I send to the desk.

The Clerk read as follows:

Strike out lines 12, 13, and 14, page 59, and substitute therefor: "Improving Tennessee River at Colbert Shoals: Continued improvement, \$300,000: Provided, That a contract or contracts may be entered into by the



Secretary of War for such materials and work as may be necessary to complete lock and dam No. 1 and to construct lock and dam No. 2 at Colbert Shoals, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate \$1,000,000, exclusive of the amount herein and heretofore appropriated."

Mr. RICHARDSON of Alabama. Mr. Chairman, I have but few words to add to what I have already said about this amendment, but I do say that I am not in the least discouraged by the fate which has met every amendment offered to this bill except those proposed by the distinguished chairman. It does not discourage me in my faith—the substance of things hoped for, the shadow of things looked for. I say I am not discouraged to believe that in the early future this important point on the Tennessee River will be recognized and will be accorded the justice that the people of that section of the country have believed it was entitled to since 1828.

I cordially indorse and approve the amendment just offered by the gentleman from Tennessee [Mr. MOON], and I take occasion to say that I do not believe there is a Representative on this floor whose district or whose State is interested or concerned in the unobstructed navigation of the Tennessee River who does not agree with me that Colbert Shoals, the place which this amendment of mine is directed to, is, above all, the most important and vital point on the river.

I would be perfectly willing to leave the designation of the locality contemplated by that amendment, which the distinguished chairman of the committee objects to, to anyone who is acquainted with the Tennessee River. I was told the other day by one of the most qualified and experienced engineers, who has had charge of for years past the affairs of the Tennessee River, that it will take a hundred thousand dollars to carry out the work that is going on at the upper lock of Colbert Shoals in the matter of quarrying the rock from Keller's Quarry. They are gathering the rock on the banks of the river, and he says it will take at least a hundred thousand dollars to complete even that work. Yet this bill of the committee, so far as Colbert Shoals is concerned, leaves that untouched and neglected, without any interest whatsoever; leaves that great work suspended for the next two years, and, surely, I think the chairman, whom I know to be thoroughly competent and qualified by experience in these matters, ought himself to allow this quarrying to go on, and ought on his own motion, if I may be allowed to say it, to suggest an amendment of a hundred thousand dollars for that purpose.

[Here the hammer fell.]

Mr. BURTON. I do not desire to argue this motion. I only trust that it will be voted down.

The amendment was rejected.

Mr. MOON. Mr. Chairman, before passing from that section I desire to offer another amendment.

The CHAIRMAN. The Chair will state to the gentleman from Tennessee that that paragraph is passed and that the Chair allowed the gentleman from Alabama [Mr. RICHARDSON] to recur to it because he was on his feet and endeavoring to offer an amendment when the Chair recognized the chairman of the committee on an amendment, and so the Chair felt that it was his duty to go back; but without the consent of the committee it would not be in order to recur to it again.

Mr. MOON. I ask unanimous consent to offer that amendment. The Chair will observe that that section is divided into two parts, applying to two separate sections of the river.

The CHAIRMAN. Unanimous consent is asked by the gentleman from Tennessee to go back to the paragraph referred to in his amendment for the purpose of offering this amendment. Is there objection?

There was no objection.

The Clerk read the proposed amendment, as follows:

Commencing in line 11, page 50, after the word "improvement" and before the word "ninety," insert "one hundred;" so as to make it read: "\$190,000."

Mr. MOON. Mr. Chairman, I fully appreciate the fact that the Committee on Rivers and Harbors have a sufficient number of votes in this House to defeat the proposed amendment, and I am very thoroughly satisfied that they will use that vote when the time comes to pass upon the amendment. But if we are to look at these questions of public improvement in any other light than that of securing advantages to the immediate districts or sections represented by the Committee on Rivers and Harbors, then I respectfully submit to this House that the amendment challenges a careful attention in the interest of the public expenditure of money. The Tennessee River has been the object of care by this Government since 1817. The national importance of the improvement is known to all and can not be denied. The importance and necessity of the improvement is not a matter of contention.

The engineers recommend \$600,000 for a section of the river for which only \$90,000 is appropriated, and recommend an appropriation of \$889,000 for a section for which nothing is appropriated by specific designation, although under the action of the House in construing the bill, and general law as to the discretion of the

engineers in making improvements, the appropriation may be expended at this one point.

The chairman of the Committee on Rivers and Harbors makes, as I understand him, but one contention against the appropriation of this money. He does not say that the Government has not the money and is unable to appropriate it. He does not say that the commerce of the country does not justify the expenditure of the money.

The only point he makes is, that it will take more than a million dollars to complete the work along this stretch of the river, and for that reason we ought not to appropriate it. Now, if that is true, if it be true that it takes that amount, and that this is a work of such secondary importance that we ought not to have a sum more than sufficient to keep it up until Congress is able to appropriate more, then I concede the contention of the chairman is correct. But if it be not a work of mere secondary importance, if it be a work upon the third river of the United States, upon which several millions have already been expended, a work that can be completed in a short while by a just and wise expenditure of money, then I insist that the people of that section are entitled to the same consideration at the hands of Congress as those who live in other and more favored places, and ought not to be discriminated against. I do not see any wisdom in the Congress of the United States expending mere dribblets which do not materially benefit the river and accomplish nothing for the people. I ask that this House at least give a sufficient sum to enable the engineers there not only to keep up the four fleets that are riding upon the Tennessee without purpose at this time, but enough to enable them to accomplish good and permanent improvement in the navigation of the river.

Mr. BURTON. Just a moment, Mr. Chairman. This is a very plain business proposition. This improvement of the Tennessee River means the expenditure of \$5,000,000 within a very short time—an appropriation authorizing it right now—or an appropriation of a comparatively small amount for the maintenance of the navigation which now exists on the river, which I see is maintained for seven months each year. If we are to make an appropriation for continuing the improvement of this river and bring in other rivers of equal rank and equal importance, where the commerce is equally as large, we can not stop short of bringing in a bill appropriating \$150,000,000. We were all over this ground a few years ago, and I do not think it necessary to take up the question now.

Mr. MOON. May I ask the gentleman a question?

Mr. BURTON. Certainly.

Mr. MOON. In the discussion of the amendment first proposed by me did I understand you to insist that the engineers now have the power to expend the appropriation on such parts of the work as they deem necessary between Chattanooga and Riverton?

Mr. BURTON. Yes; upon the reports already made and the estimates filed with the Department, it is within the power of the engineer in charge of that work, with the approval of the Secretary of War and Chief of Engineers.

Mr. KING. Mr. Chairman, I congratulate the gentleman from Tennessee on his temerity in venturing to even suggest an amendment to the river and harbor bill, because it is evident from his well-timed and well-chosen remarks that he considers that no amendment which he or any other person may offer to this bill can possibly command sufficient support to be adopted in this House.

The gentleman has been bold enough to charge that the River and Harbor Committee, representing 17 States, have sufficient power and control over the House that they can pass the appropriation bill holus bolus as it came from the hands of the committee. What a splendid monument to the genius of this committee this bill must be when it is so nicely chiseled, so perfectly rounded, so symmetrically formed that not the slightest possible alteration can be made in this House.

I congratulate the country and congratulate the House on the fact that such a splendid legislative monument has come from the hands of this distinguished committee. The country ought to be grateful, Mr. Chairman, that we have a committee that has been so modest and so moderate in its contribution to the draining of the Treasury of the United States. Why, this bill only calls for \$60,000,000, a mere bagatelle, as has been suggested by some gentlemen!

Why not make it \$300,000,000? We have abandoned the only defensible ground upon which measures of this character can be rested, that is of seeking to improve only those harbors and great highways (waterways) of commerce that are Federal and national in their character, and have made a new geography of our country, showing it to be all creeks and dribbling streams and harbors and canals—never before known to any geographer—and have so magnified them that they are now powerful aids to commerce and the subject of national control.

So I say my friend from Tennessee is to be congratulated for even suggesting an amendment here. Why not agree to the



amendment? It is only \$100,000 more. That is nothing when we are appropriating millions and millions of dollars. A Republican President a few years ago vetoed an appropriation carrying eighteen millions of dollars because it lacked the national and Federal quality, because it was purely local in its character; and it seems to me that if the President of the United States could characterize that bill as being devoid of national and Federal qualities, we would have infinitely greater ground and would be more impreguably fortified in making that charge against this measure.

Mr. Chairman, is it true that this measure possesses such perfection in conception and infallibility in execution as to be beyond the power of amendment, or even criticism? In what atmosphere was it bred, to have made it so gloriously beautiful and perfect? What Titanic power forged thunderbolts in its behalf?

Perhaps this bill is like a chain, no stronger than its weakest link, and each link so protected by the interests of all that its assailment is not permitted.

Mr. Chairman, why is there such a general acceptance of the provisions of this bill? What reasons exist which prompt the gentleman from Tennessee [Mr. MOON] to charge that the committee reporting this bill have power enough to secure its passage through the House?

What do members mean, when they talk about getting a portion of the "pork"? Is the Treasury of the United States to be regarded as private estate, to be divided among the States?

Mr. Chairman, such appropriation for rivers and harbors should stand upon its own merit. If a harbor essential for the whole people, national in its quality, needs improving; if a great river, bearing upon its expanse the commerce of States, and the importance of which from a Federal and interstate standpoint is clearly demonstrable, requires an appropriation to render it more serviceable, then report a separate bill for such harbor and such river, and I will not be found objecting to a reasonable appropriation.

It seems to me that the manner of treating this question in the matter of legislation is wrong. We have a bill reported carrying hundreds, if not thousands, of items. Appropriations are made, some large, and some small, for most of the States if not most of the Congressional districts. The constituents of most members are interested in the bill to the extent at least of the amounts reported for their respective districts. Under such circumstances no bill carrying appropriations for rivers and harbors can be defeated in the House, no matter its weaknesses, no matter how much it may violate the Constitution because of its absence of federal qualities.

Mr. Chairman, the system of legislating for rivers and harbors, in my opinion, is wrong. Either let every appropriation stand as a separate bill, and rise or fall according to its merits, measured by the Constitution and the power of the General Government to control interstate commerce, or create a board, composed of eminent Army engineers and civilians, and appropriate, from time to time, such sums as may be necessary, to be expended by them upon such national and interstate harbors and rivers as they may determine.

Mr. Chairman, I am attacking no person and no particular item, but I am convinced that this bill has many objectionable items, and the present system employed in dealing with rivers and harbors is radically defective. When will it end? Sixty millions this year! How much next? Hundreds of streams this year; it may be thousands next. And so the amount carried in each bill is to be determined by the success of the member in pressing the demands for his section and the unrestrained will of the committee.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Tennessee.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

Improving Clinch River, Tennessee: For maintenance, \$3,000.

Mr. GIBSON. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

On page 59 strike out all of the paragraph after the word "Tennessee," in line 19, and insert: "eight hundred thousand dollars, a sufficient part of which shall be used to make the Emory River navigable to Harriman, Tenn., and the remainder to be used in constructing locks and dams, and in otherwise deepening and improving the channel of Clinch River to the mouth of Coal Creek."

Mr. GIBSON. Mr. Chairman, I wish to state to the committee that the engineers in charge of these rivers have recommended the improvement of the Emory River to Harriman and the improvement of the Clinch River to Coal Creek. The object of these improvements is to reach the great coal mines of central East Tennessee, the largest coal area in the United States. There are now being shipped from these mines over 300 carloads of coal a day. A very large proportion of the Southern country is being supplied from these mines, the coal being transported upon the railroads. When there is river transportation to take out this coal, it can be furnished far more cheaply to the sections of the country that draw their supplies from these mines than by railroad transportation. Not only does the amendment seek to deepen the river Emory for the purpose of reaching the adjacent coal

mines, but for the benefit of the young town of Harriman, now about fifteen years old, and having a population of 5,000. There are many industries there—a rolling mill and various factories of other sorts—and it is desirable that it shall have water transportation in addition to its railroad facilities.

Major Kingman, of the Engineer Department, has recommended the improvement not only of the Emory River, but also of the Clinch River, and the object of my amendment is to furnish the necessary means. The time is now at hand, Mr. Chairman, when the same sort of improvements must be made on the Emory River and the Clinch River as have been made on the Allegheny and the Monongahela rivers, of western Pennsylvania.

We have a far larger area of coal-bearing land in reach of these rivers than is in reach of the Allegheny or the Monongahela rivers. When the canal is built across Central America there will be an immense demand for the coal from the central coal regions of the South, and we want our improvements ready, so as to be able to take advantage of that time. The coal from these mines now is being used on ocean vessels, being transported to the coast of Georgia at Savannah and Brunswick, and the coal is of the very finest quality. Nearly all of the factories in the central part of the South are now being supplied with coal from these mines, and it is a great burden upon the industries of the central South that they are obliged to pay for railroad transportation when there are these great rivers ready with a comparatively small expenditure of money to furnish adequate water transportation for our coal, our iron, our marble, and our timber at much cheaper rates, and I ask that this amendment prevail.

Mr. BURTON. Mr. Chairman, the proportion of increase from \$3,000 to \$800,000 is one which many bills may stand, but I am sure this bill can not. The Clinch River is a long one that has a variety of traffic, goes through a timber country and a mineral country, but in such a bill as this we certainly can not reach them all.

Mr. HEPBURN. Will the gentleman from Ohio allow me an interruption?

Mr. BURTON. Yes.

Mr. HEPBURN. I would like to know if the committee has ever considered the comparative advantage to the Government there would be in moving these coal fields to some stream that is already navigable, rather than to make a navigable stream to the coal lands? [Laughter.]

Mr. BURTON. I will say that we never had that proposition before us. It would probably be outside of our jurisdiction. [Laughter.]

Mr. GIBSON. That would no doubt come up when the gentleman from Iowa is put on the committee. That shows his comprehension of the merits and demands of the river and harbor bill.

Mr. HEPBURN. Now, my friend from Tennessee ought not to say uncomplimentary things of me. I was going to propose to amend his amendment in the interest of the Emory River and the new town to strike out the word "thousand" and insert "millions," so that it would read "eight hundred millions." [Laughter.]

Mr. GIBSON. That only affirms what I have already said of the idiosyncrasies of the gentleman from Iowa. [Laughter.]

Mr. BURTON. While I do not want to say anything in disparagement of the coal supply, the claim has been made by members on behalf of so many localities that his district contains the best coal fields in existence in the country that we have almost been at the point of asking a board of arbitration to decide between the different localities. We have had the Monongahela, the Big Sandy, and a lot of others, all the regions claiming it, and I trust no one will make that claim hereafter for his locality unless he is sure as to the correctness of his claim. Now, Mr. Chairman, I ask for a vote.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Tennessee [Mr. GIBSON].

The question was taken, and the amendment was rejected.

#### MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. CAPRON having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. CUNNINGHAM, one of its clerks, announced that the Senate had disagreed to the amendment of the House of Representatives to the bill (S. 2729) granting a pension to Eliza L. Reese, had asked a conference with the House on the bill and amendment, and had appointed Mr. GALLINGER, Mr. SHOUP, and Mr. TALIAFERRO as the conferees on the part of the Senate.

The message also announced that the Senate had disagreed to the amendment of the House of Representatives to the bill (S. 2432) granting an increase of pension to James A. Thomas, had asked a conference with the House on the bill and amendment, and had appointed Mr. GALLINGER, Mr. SHOUP, and Mr. TALIAFERRO as the conferees on the part of the Senate.

The message also announced that the Senate had disagreed to the amendment of the House of Representatives to the bill (S. 3890) granting an increase of pension to Americus V. Rice, had



asked a conference with the House of Representatives on the bill and amendment, and had appointed Mr. GALLINGER, Mr. QUARLES, and Mr. KENNEY as the conferees on the part of the Senate.

The message also announced that the Senate had agreed to the amendments of the House of Representatives to bills of the following titles:

S. 3642. An act restoring the pension of Augustus R. Rollins, alias Rhenault A. Rollins; and

S. 3342. An act granting a pension to Samuel Dornon.

The message also announced that the Senate had passed without amendment the bill (H. R. 12546) to change and fix the time for holding the district and circuit courts of the United States for the northeastern division of the eastern district of Tennessee.

#### RIVER AND HARBOR APPROPRIATION BILL.

The committee resumed its session.

The Clerk read as follows:

Improving Cumberland River, Tennessee, below Nashville: For the completion of the lock and dam at Harpeth Shoals and for maintenance, \$180,000.

Mr. SNODGRASS. Mr. Chairman, I have an amendment to offer to this paragraph, and also the following one relating to the improvement of the Cumberland River. I ask consent that both sections be read and the amendment offered afterwards.

Mr. BURTON. I think there can be no objection to that. I ask that the request of the gentleman be acceded to.

There was no objection.

The Clerk read the second section, as follows:

Improving Cumberland River, Tennessee, above Nashville: For the completion of lock and dam No. 1 and for maintenance, \$105,000.

Mr. SNODGRASS. I now offer the amendment which I send to the desk.

The Clerk read as follows:

Amend by adding, after the word "Dallas," in line 3 on page 60, the following: "Provided, That a contract or contracts may be entered into by the Secretary of War for such materials and work as may be necessary to finish such other locks and dams on the lower section of the upper river as will best promote its interest, to be paid for as appropriations may be made from time to time, not to exceed in the aggregate \$250,000, exclusive of the amount herein appropriated: And provided further, That such other authorization of contract or contracts is herein granted to the Secretary of War for such materials and work below Nashville as will best expedite the improvement of such section of the river, to be paid for as appropriations may be made from time to time, not to exceed in the aggregate \$250,000, exclusive of the amount appropriated in that section."

Mr. SNODGRASS. Mr. Chairman, in offering the amendment which I shall propose I have no harsh criticism to make of the members of the Rivers and Harbors Committee personally.

That great committee, I know, is constituted of able and honorable men, who have given much consideration and great labor to the preparation of this bill, and although it might appear from a casual examination of the bill that an undue and disproportionate favor has been extended to some enterprises and some localities, still we are assured by the committee that they were impelled to this distribution of aid by the increased demands of commerce in those localities.

While this statement is sufficient to clear the committee of any imputations against the integrity of their conclusions, it does not make manifest the soundness of their reasons, which it shall be my purpose to briefly controvert. It is not my purpose, however, to take up the bill in detail in an attempt to show all its inequalities, and I may say frankly that I shall not antagonize any of the projects mentioned in the bill, and if I shall particularize any of the items it is only for the purpose of illustrating the points I desire to make.

I think, in justice to all the great schemes of internal improvement, with so large a surplus in the Treasury that we have been passing bills to reduce it, this bill might have carried a larger appropriation than at present reported, even though it should necessitate retrenchment in expenditures in other quarters.

It appears that the number of projects for which appropriations are sought to be made by the bill is 408, of which 232 are classified under the head of "rivers" and 176 under the head of "harbors." Also, that the amount to be expended for the fiscal year ending June 30, 1902, is \$22,792,711.30, and for additional expenditures under the continuing-contract system is \$37,142,704.82, making in all a grand total of \$59,935,415.32. It appears, also, from the report that the total amount required for the completion of projects for river and harbor works, the cost of which has been estimated by the War Department, now approximates \$300,000,000. It is also stated that numerous new projects have been reported by engineers and brought to the attention of the committee subsequent to the annual report of the Chief of Engineers, and that many of these are of urgent importance.

We are also informed of the desire of the committee to adopt a policy looking to the completion as rapidly as possible of the most important projects presented for consideration.

Taking the bill, therefore, as an interpretation of what the committee considers as the most important projects by the size of the

appropriation, we are not left to much conjecture as to their conclusions, though we are still in doubt as to the faultless application of the rule.

Tonnage alone can not be taken as a criterion affording equitable consideration or enjoyed such natural advantages which, with slight aid, may so increase their tonnage as by this rule alone would entitle them to consideration in geometrical proportion, in which case the degree of improvement and time required in which to accomplish it are of vital importance. Again, the effect it is to have upon commerce, not only in its volume, but in its competitive features, the development of the country in the creation of wealth, thereby proportionately diminishing the burdens of taxation. All these are legitimate questions to be considered in our efforts to equalize limited outlay.

Take, for example, the Ohio River, one of the great arteries of commerce, with a length from Pittsburg of 1,000 miles, for which the sum of \$655,401 is appropriated by this bill, and the further sum of \$1,700,000 is authorized, making, in all, the sum of \$2,355,401. Its tonnage is reported at 13,000,000 tons. But undoubtedly a vast amount of this must be coal and iron from the great States of Pennsylvania, Ohio, and West Virginia, and no doubt it has increased in such proportion as the river has been made available by generous aid of the Government, which has invited and invites investment of capital, continually augmenting the commerce and importance of those great States.

Not long since I saw a statement that millions of tons of coal were to be taken down the Ohio to Southern consumers, and some months before that I had observed a publication in the papers that a gigantic trust had been formed among the principal coal operators in the Pittsburg region. Mr. Chairman, I only take the Ohio River as an illustration. Its importance to commerce is not lost upon me, and it is far from my purpose to detract from its just regard or to seek to impose a single obstacle in the way of its further improvement. But I can not remain silent while the great region in which my own State is vitally interested is inadequately provided for without protest that I do not acquiesce in the arrangement of this bill, and without a further effort before this great body to secure more liberal consideration than the committee has given us. I bring no charge against the committee. I only find fault with the argument that seems to form the basis for their action, especially as it affects rivers.

It would seem that it would not be necessary to argue the statement that as they are made navigable the utility of rivers improves, and especially would this be so of such rivers as the Ohio, the Cumberland, and the Tennessee, flowing as they do through countries incomparably rich in deposits of iron, coal, and other mineral products, as well as draining vast acres of lands unsurpassed in agricultural possibilities. If the larger present tonnage is alone to furnish the criterion for expenditure, it will amount to a practical exclusion of those rivers, at least in this generation, whose tonnage is kept down to a minimum by ten or a dozen obstructions in a navigable reach of thousands of miles.

Consider for a moment the element of time as affected by this bill. In round numbers and in effect it carries an appropriation of \$60,000,000, one-fifth of the three hundred million necessary to complete projected enterprises, to be expended, say, in two years.

On this basis every scheme of the Government now under way could be completed in ten years if the money were so distributed as to equalize the time. Whereas, taking tonnage as the basis and as it may be effected by the work which will be done under this bill, and by some of the urgently important new projects which may under like considerations gain precedence, it will be many times the years completing the project for the Cumberland and Tennessee rivers than those years mentioned in the estimates. Of course this suggestion is subject to the modification resulting from the fact that as larger or disproportionate amounts are given to more advanced schemes the more rapidly they will be gotten out of the way; and this fact would afford some compensation and consolation for the lapse of wasted years if it were not tinged with the reflection that time and chance may develop other things thought by some potential agency to be more important. With money available under the estimates we could have 316 miles of the Cumberland River under navigation at all stages, with 6 feet depth of channel at all stages, in two years. But it is stated that it will require eight years to complete the project, while it is stated that an expenditure of, net, \$2,500,000, would in two years, if funds were available, make the Tennessee navigable at all stages from Chattanooga to its mouth, and, it may be added, from Knoxville.

The Tennessee River, having its source in the eastern part of my own State, flows in a westerly course through Tennessee and Alabama, emptying into the Ohio at Paducah. Its length is between 600 and 800 miles, and, together with its tributaries, has a possible navigable utility of over 1,500 miles. The main obstructions at Muscle Shoals have been overcome years ago by the powerful aid of the Government, and with the removal of two other obstructions at Colbert Shoals and with a lock and dam at



the Suck in the mountain section, which it is believed can be completed in two years if the money is made available, at a cost which will not exceed two and one-half million dollars, who is it that does not believe, who is at all familiar with the great coal and iron fields of Tennessee and the iron manufacturing towns and cities located along this river, and the fertile valleys through which it passes, that the commerce will immediately increase out of all proportion to what it has done in the years preceding.

The Cumberland River, having its source in the great State of Kentucky, likewise flows westerly, passing close by the coal fields of Tennessee, through the fertile regions of the Cumberland Valley, by the capital of our State, emptying into the Ohio at or near its junction with the Tennessee.

For about five months in the year the navigable reach of this river is to Burnside, Ky., a distance of 516 miles.

Recognizing the availability and adaptability of this river as one of the most important agencies of commerce, it has been the anxious desire, not alone of the people inhabiting the region immediately tributary to it, but of the entire State, to make it subserve the purposes of beneficence for nearly three-quarters of a century.

Away back in the thirties the State made appropriations to improve its navigable features. Then the Government took the matter up under what is known as the old project for open-channel work, and up to 1890 had expended the sum of \$345,000. In 1882 and 1883, based upon report of Chief of Engineers in 1884, with accompanying estimates, recognizing the desirability and the entire utility of the existing canalized project, the Government began the improvement of this river by a system of locks and dams to secure navigation in a channel of a minimum depth of 6 feet, at a cost, in round numbers, of \$10,000,000.

Beginning with 1886 various appropriations have been made aggregating the sum of one million nine hundred and forty-five thousand, or, in round numbers, two million dollars—one-fifth of the entire estimate, and a great deal has been accomplished with this sum.

The work has been carried on in three sections of the river. One section from Nashville to the mouth of the river, to a distance of 191 miles, which is denominated below Nashville, and two sections of the upper river to Burnside, Ky., a distance of 324 miles, denominated above Nashville.

Seven locks have been constructed on what is known as the lower section of the upper river, from Nashville to Carthage, a distance of 120 miles, at a cost of one million six hundred and ninety-five thousand, in connection with channel work, and one below Nashville at a cost of \$250,000, less some small amount now on hand.

It is estimated that to complete the project below Nashville it will require one million seven hundred and fourteen thousand, and to complete the lower section of the upper river so as to make the 8 locks now constructed operative will cost \$898,747. The engineer recommends that the work of securing navigation from Carthage on the lower section of the upper river, and from Nashville to the mouth of the river on the lower section be carried on together and be completed before anything further is done toward prosecuting additional locks and dams for the upper river. I read from his report as follows:

The annual report for last year (1899) was prepared when I had had only three months' charge of the Cumberland River improvement; necessarily, therefore, with limited knowledge of the most important features of the enterprise. Naturally, too, at first glance, seeing that there were 4 locks completed and 4 more approaching completion, partly above and partly below Nashville, but all absolutely valueless as aids to navigation until made operative by the construction of their accessories, i. e., their gates, dams, approaches, etc., it seemed of paramount importance that these costly structures should be made operative at the earliest possible date, in order that a return on the large outlay already incurred might soon be realized; consequently, my first annual report asked for appropriations in accordance with these views. Further consideration of the subject, however, goes to show that these early impressions were only partially correct, for it is exceedingly doubtful that a return at all commensurate with the cost would result from merely rendering these 8 locks operative, inasmuch as such a course would only produce a lake-like reach of navigable water, extending from 41 miles below to 125 miles above Nashville, that would be lacking a navigable outlet during about seven months of the year.

I am now decidedly of the opinion that it would be injudicious to undertake to render the locks on this isolated reach of river operative until an outlet can be provided into the Ohio River, on the one hand, or, on the other hand, possibly, until the time is nearly arrived when the extension of the improvement to the coal fields at the head waters of the Cumberland River can be pushed vigorously to completion.

The estimated cost of providing an outlet into the Ohio River, i. e., the completion of the scheme of improvement below Nashville, is \$1,714,500, and, with the funds available and the lock sites secured, the work might be accomplished in about two years; whereas the extension of the improvement to the coal fields, i. e., the completion of the scheme of improvement above Nashville, is estimated to cost \$3,805,000, and, with the funds available and the lock sites secured, would require about eight years for its accomplishment.

There is little doubt, too, that the immediate benefits to be derived would be greater by affording an all-year navigation down into the Ohio River (from Nashville and from Carthage, 120 miles above Nashville) than by affording an all-year navigation up the river so as to reach the coal fields there.

The upper river improvement will therefore cost four times as much and take four times as long for its completion as the lower river improvement, and might be expected to greatly cheapen the cost of coal and transportation to and from the farms near the banks of the upper river; whereas the lower

river improvement, though costing only one-fourth as much in money and time, may be expected to greatly cheapen the cost of transportation to and from the farms along its banks, too, and to greatly reduce the cost of innumerable commodities that would then seek this means of going to and from the Ohio Valley. Indeed, it appears too obvious to require further elucidation that earlier and larger returns may be expected from the lower river improvement than from the upper river improvement. Therefore it seems well warrantable that early provision be made for the construction of 6 more locks and accessories below Nashville, and that the 7 locks (1 now built) constituting the lower river system of improvement, as well as the 7 other locks now built and constituting the lower portion of the upper river system of improvement, be made operative together at the earliest admissible date.

It seems impossible to urge the course that has just been indicated with too much vehemence, being apparently the only way of securing a return for the expenditures already incurred and that may hereafter be incurred within a reasonable time and for a reasonable additional outlay.

If large boats could be assured an all-year stage of water between Nashville and the Ohio Valley it is probably not saying too much that a reduction of 40 to 50 per cent in most freight charges to and from Nashville, Clarksville, and perhaps other points, would inevitably follow, and I do not hesitate, therefore, to ask for the entire sum that will be required to carry the lower river scheme of improvement and the lower portion of the upper river scheme of improvement to completion at an early day, and the accompanying money statements have been prepared accordingly.

I call attention to the fact that while speaking of the coal fields at the head waters of the river he has strangely overlooked the Tennessee coal fields, which two short lines of railway, one of them recently completed, will make to yield their modicum of commerce from Carthage down when the work is completed to Carthage.

Some years ago a far-sighted man by the name of Crawford, a gentleman residing in the State of Indiana, became interested in the Tennessee coal fields and built a railroad from Lebanon to Monterey, Tenn., a distance of about 60 miles. Relying, no doubt, upon the good faith of the Government to prosecute the work of improving the river, he secured a river front at Carthage and built a branch to that point, to be ready to utilize the Cumberland River for the traffic, coal and otherwise, of the great Cumberland plateau, and recently another road, built by Col. Jere Baxter, one of our great Tennesseans, crossing the field from east to west, is preparing to further augment the traffic.

I mention these things only to show a few of the agencies now in preparation, aside from those which will be called into existence, that will increase the tonnage of the river when it is made available, and to show the fallacy, nay, the bitter irony of the statement as to what the present tonnage of great rivers are which have been utilized for years in connection with the argument that because they have so large a business they should have such consideration as will practically exclude other rivers which, if given a chance to increase their tonnage, might, perhaps, if the argument were sound, be receiving the largest consideration. Is not the suggestion that all rivers that are now answering the needs of so large a commerce be content for a while, at least, with sufficient sums to maintain the status quo until other rivers which, in all human probability, can be made equally important, can have navigable outlet to the sea, thus putting great, rich, and deserving localities upon an equal footing with each other, benefiting the country at large by creating wealth and securing competition both in mercantile products and in transportation? Is it right that these great benefits shall be practically sacrificed and whole generations of people perish for lack of facilities, victimized by monopolies, while the already large commerce of other sections is fostered because, forsooth, they have first established themselves?

Gentlemen have complacently risen here quoting the large tonnage of harbors like New York and Boston and bidden the friends of rivers wait the spending of millions in deepening and widening harbors in anticipation of possible colossal vessels which were to carry prospective freight, while we starve for the opportunity of sending the freight we have. In this debate I have heard no suggestion of freight rotting or perishing in these harbors for lack of transportation, but I know and have told you of great localities the products of whose broad acres glut the local markets and perish on the ground, the deposits in their veins lying comparatively untouched, and themselves fenced away from opportunity to enrich the world and themselves by their productive enterprise.

Rather should the harbors be bidden to wait until the ever-increasing volume of trade consequent upon increased inland transportation taxed their necessity, and then a grateful, happy, and prosperous people would provide for them in abundance, with no lingering sense that they were being sacrificed in ministering to their needs.

Again, Mr. Chairman, while we can not condemn in unmitigated terms the halting expedition provided for by the committee in the preparation of this bill, we may yet be permitted to criticize an overshadowing policy of the Government which has made it necessary or at least contributed to it.

For the first time in the history of this giant young nation the military branch of the Government looms up in permanent rivalry to the material interest of the country, and well may those whose hopes and aspirations are centered in the arts of peace and plenty stand in trembling apprehension of the outcome.

Heretofore our dreams have not been disturbed by the specter of enemies, because, secure in our isolated position and just regard



for the rights of others, we have avoided complications and frictions that engender danger and strife.

But now, taking advantage of an incident of the highest patriotic beneficence, which, in the interest of peace, liberty, and humanity, crowned our arms with victory and covered with permanent glory the American Union, the Government has become drunken with success, and instead of halting with honor in the place illumined by the bright sunlight of opportunity, it preferred, in the moment of power, when a decent respect for the opinions of mankind would have compelled a declaration of our purposes, to withhold its confidence, and now our troops, who fought and won for liberty, muster at the bugle call upon what is alleged to be foreign soil to do battle for a triumph over what is alleged to be a foreign foe.

Nay more; the exigencies are such that it is said that the volunteer is no longer available for present needs and must give place to the regular soldier and a large permanent establishment.

What does this mean? Simply a reversal of our time-honored policy and a more aggressive foreign policy, darkening the future with the dread of entanglement, the possibility, aye, the probability, of war, and the heavy expenditure of life and treasure.

Notwithstanding these weighty considerations, some base their advocacy of the present scheme of martial strength upon a sentiment of false pride. They say that the country has so far grown that a large standing army should commensurate our dignity. Overlooking the fact that the volunteer has won all our liberty and renown and that the vast needs of the Government for revenue should yet impel us to the arts of peace, so vast are those needs, no matter to what cause attributable, that a committee of honorable and distinguished members of the House, though apparently in hearty sympathy with schemes of internal improvement and development, are forced to scale down the estimates of Government engineers and allow great and beneficent enterprises to so languish as to make the heart sick with hope deferred, while we canter to the spirit of martial music that would plunge us further and further in despair.

Without attempting to argue further the merits or demerits of a large standing army, to which I am opposed, I would merely and modestly commend this suggestion to the wise statesmanship of this land: Would it not be well to at least defer this costly expenditure until we have done simple justice to our great inland waterways and brought untold happiness and prosperity to our people, instead of exploiting other lands and dumping millions of money into the islands of the distant seas? Would it not be better to make the waste places of our own land, the title to which appears in no doubt, to bloom and blossom with the fruits of more local enterprise, cheering the hearts of happy and contented citizens with rewards for honest toil? [Loud applause.]

Mr. FOWLER was recognized.

Mr. SNODGRASS. Mr. Chairman, I have offered an amendment—

The CHAIRMAN. The gentleman from New Jersey is recognized in opposition to the amendment.

Mr. FOWLER. Mr. Chairman, the most important legislation to-day, from an internal point of view, is that of economical transportation of our commerce and reasonable charges for carrying our commercial credits.

The average cost of our banking credit is double what it should be, and awaits and demands our attention.

We are producing to-day vastly beyond our needs, and practically everything each one produces is consumed by others, so that our complex and extraordinary exchanges call for the best thought of Congress.

That the measure presented by the committee is the result of thorough investigation and wise conclusions has been demonstrated since this discussion began by the fact that the appropriations, taken as a whole, are almost directly proportional to the business of the various harbors and waterways, as pointed out by the gentleman from New York [Mr. ALEXANDER] in these words:

The value of all exports and imports during the ten months ending October 31, 1900, amounted to \$1,889,737,066. Of this amount \$1,445,414,000, or nearly 80 per cent, passed through the ports of the States represented by the members of the River and Harbor Committee. The total vessel tonnage, both steam and sail, engaged in the foreign trade of the United States during the year ending June 30, 1899, amounted to 32,376,792 tons.

Of this sum only 15,000,000, or about 29 per cent, enter and clear from ports of the 28 States not represented on the River and Harbor Committee, while nearly 75 per cent of the tonnage of the country passed in and out of ports represented on the River and Harbor Committee. More than 80 per cent of all customs duties are paid at ports in these States. The total number of vessels, both steam and sail, engaged in foreign commerce, and entering and clearing from the ports of the United States, during the year ending June 30, 1899, was 62,202. Of this number only 17,000, or 26 per cent, entered and cleared from ports within the States not represented upon this committee.

Thus it will be observed that an average of about 75 per cent of the commerce of the United States belongs to the States represented on this committee, and that only about 25 per cent goes to the remaining 28 States.

No composition of words, figures of rhetoric, or attempts at ridicule can avail against this overpowering array of facts. The committee may well rest with approving satisfaction upon the justice and wisdom of their action.

Nor can the gentleman from Iowa [Mr. HEPBURN] enter a successful protest against the amount carried by the bill. Much more could be judiciously expended if we were to keep an equal pace with our great and constantly growing maritime commerce. Nor is it a valid objection to this or any other river and harbor bill that any agricultural region, even the great State of Iowa, which he has so long and ably represented, has no harbors or rivers that call for governmental aid; for, directly or indirectly, the people of his great State participate in the seeming local benefits by sending some of their products, or some of the wares of American mechanics fed by the grains or meats produced by them, through every river and harbor covered by this bill.

As well might that vast population now living within a radius of a thousand miles of Kansas City declare against the Nicaragua Canal, because, forsooth, they do not expect to ship their products through it. That would be a great mistake, for the preoccupation and constant employment of any single American, in the broadest and all comprehending national sense, interests and benefits every other American, and any economic policy that does not aim to give to every man under the flag the largest possible returns for his wares, be it work of hand or head, falls short of the purpose of mutuality and cooperation, the very corner stone of this Republic.

Let us not forget that the waves of want emanating in any locality must eventually reach the farthest limit of our domain, and the extent of the want will invariably measure the force of the waves as they crash against our complex and interdependent industrial system.

To keep all the people working all the time at the highest possible wages should be the moral as well as the economic purpose of this Government.

If, therefore, what we want to sell will bring a higher price and what we want to buy can be purchased cheaper by widening and deepening our channels, if our excess of products can be placed in more successful competition with the output of other countries in the markets of the world, we must not hesitate, we must not criticize or carp at an appropriation because it is not to be expended in our immediate neighborhood, nor be especially denunciatory if not in our own district, nor actually calumniate if not in our own town.

The growth of our commerce overleaps fancy and challenges the imagination of the most enthusiastic and hopeful American. As one illustration, upon that little waterway known as the Arthur Kill, or Staten Island Sound, which connects the Passaic and Hackensack rivers, as well as New York Harbor with Raritan Bay and the Delaware and Raritan Canal to Philadelphia, there was transported in 1899 11,311,991 tons, valued at \$165,716,016. That the importance of this waterway may be appreciated, I desire to call your attention to a comparison of this vast business with the commerce of the great cities and waterways of the world:

*Tonnage of principal European and American ports entered and cleared in the foreign trade.*

Port.	Entered.	Cleared.
Liverpool, 1898 .....	6,170,454	5,998,348
London, 1898 .....	9,437,764	7,158,498
Glasgow, 1898 .....	1,457,705	2,226,798
Havre, 1898 .....	2,292,041	2,479,073
Marseilles, 1898 .....	4,365,765	4,819,131
Antwerp, 1898 .....	6,366,567	6,502,879
New York, 1899 .....	7,707,477	7,496,279
Boston, 1899 .....	2,129,795	1,872,748
Philadelphia, 1899 .....	1,658,417	1,688,391
Baltimore, 1899 .....	1,605,090	1,729,202
New Orleans, 1899 .....	1,439,183	1,431,856
San Francisco, 1899 .....	1,088,051	977,827
Puget Sound, 1899 .....	997,438	1,114,890

The tonnage of freight carried during the year 1899, being the last year for which official statistics are available, for the great waterways of the world, is as follows:

	Tons.
Freight carried upon the Missouri River:	
Above Sioux City .....	23,041
Below Sioux City, including sand .....	263,114
Freight carried on the Monongahela River .....	5,994,975
Freight carried upon the Ohio River .....	13,529,742
Freight carried upon the Hudson River:	
Local .....	5,070,800
Through .....	10,000,000
	15,070,800
Freight carried through St. Marys River, between lakes Superior and Huron .....	24,554,559
Freight carried through Detroit River (approximately) .....	40,000,000
Suez Canal .....	9,895,630.048

The tonnage transported over this waterway, separating Elizabeth, N. J., and Staten Island, was about equal to all the foreign commerce of Liverpool, about three-fourths that of London, about three-fifths that of New York, about three times that of Boston, about four times that of Philadelphia, about five times that of Puget Sound, about four-fifths that of Hudson River, nearly thrice



that of the Monongahela River, nearly equal to that of the Ohio River, nearly one-half that of St. Marys River, more than one-fourth that of Detroit River, and 2,000,000 tons more than that passing through the Suez Canal, yet, up to this time, only \$232,970.31 have been expended upon this great shipping thoroughfare, notwithstanding the fact that the Government has been urged to carry out this much-needed work, and that its delay and failure to do so has resulted in excluding much shipping which is being carried in vessels of greater size and deeper draft.

Will any member of this House say that the present appropriation of \$696,000 is not a wise one, and especially so since, in the opinion of the engineers, it will require only \$5,000 per annum for maintenance when the work shall have been completed?

We must not forget that this stretch of water is but an arm of New York Harbor, in which every citizen of the United States, and especially every toiler, is particularly interested. The gentleman from Iowa [Mr. HEBURN] indulged in criticism of the appropriation for New York Harbor because, forsooth, it was to make provision for the vessels of greatest draft. Would he say to the transportation world, "If you desire to enter New York Harbor you must come with craft of ancient make, for we do not propose to keep pace with the times."

Gentlemen, let us remember that New York is fast approaching the first place among the cities of the world, and will soon be first in population, first in commerce, and first in finance. For, if we legislate broadly and wisely, the bills of exchange the whole world around will soon be drawn on New York and not on London—in dollars and cents, and not in pounds, shillings, and pence—and the loans of the world will be negotiated on this side of the Atlantic.

In the consummation of these splendid achievements all of our people are mutually if not equally interested, and no member of this House, wherever his district is located, truly represents the interests of his constituents by attempting to limit New York Harbor to the draft of vessels built fifty years ago, nor twenty years ago, nor ten years ago, nor even to the craft of yesterday. New York should always be ready for the shipping craft of tomorrow.

The gentleman from Washington [Mr. CUSHMAN] indulged in much animadversion upon the committee, because, forsooth, about 75 per cent of the appropriations made is to be expended in the States represented in the committee.

Mr. CUSHMAN. Let me interrupt the gentleman from New Jersey for a question.

Mr. FOWLER. Certainly.

Mr. CUSHMAN. Is it not true that an examination of the figures in connection with this bill shows that the States which have representation upon the committee and claim to have greater maritime interests, is it not a fact that the recommendation of the Chief of Engineers as to what should be expended throughout the United States shows a larger percentage there than in other localities?

Mr. FOWLER. Not necessarily.

Mr. CUSHMAN. Then if that is not true, what would the gentleman call a fair criterion as to what is necessary to be expended?

Mr. FOWLER. The fact first as to what has been done heretofore and what should be done to preserve the investments and expenditures already made. The gentleman knows, of course, that there are various projects under consideration, no doubt wise in themselves, which are not appropriated for and which must remain for future consideration.

Mr. CUSHMAN. But is it not true that the report of the Chief of Engineers covering all these points presents them to us for our consideration?

Mr. FOWLER. Immediately, I doubt it. But all of these questions are matters which the committee must take into careful consideration, and each one stands exclusively on its own merits.

Mr. CUSHMAN. Do not you consider that all the material which has been presented from the engineers should be taken into consideration by the committee—I mean all matters presented by the engineers in the report?

Mr. FOWLER. Certainly; but that is only one side of the question. It is for the committee to determine their comparative importance and say which projects under all the circumstances shall receive their immediate attention. The engineer presents only one side of the question.

Mr. CUSHMAN. Yes; and it is the side of the committee.

Mr. FOWLER. He does his duty, and that is simply to report upon a proposition whether it is wise or unwise, and not on the comparative question at all. Does the gentleman not know, as well as every other member of this House, that the States having great harbor interests have had and always should have representation upon this great committee, and that the present membership is such because of the vast shipping interests of their respective States? Indeed, he and every other member of this House who has thoroughly studied this bill and been candid with himself will be driven to the admission that its estimates are

conservative and its provisions are wise and just; that the committee were guided by the general welfare of our whole country and in no wise controlled by local self-interest; and that instead of the criticism of any member they are entitled to the ready and hearty support and approval of this House and the gratitude of all the people.

Since we have the power and capacity to produce one-third more at least than we now consume, even in the most prosperous times, let us look well to other fields of consumption and forthwith improve and develop every possible means of reaching them; for unless we find markets for our excess of products and opportunity for our great plethora of capital we shall all too soon learn with bitter experience that our parsimony has bred a poverty of work for our people to do, and that starvation and not plenty and stagnation and not prosperity are the ruinous and fatal results of a national policy which is sure to meet the condemnation of a great people who are always willing and ready to toil if, happily, they can only find work to do. Let us not fail in the performance of our first, our greatest and highest duty, to furnish ample opportunity for every man to do his very best for himself.

During Mr. FOWLER'S remarks,

Mr. KING. Mr. Chairman, I move that the time of the gentleman from New Jersey be extended indefinitely.

Mr. BURTON. How much time does the gentleman desire?

Mr. FOWLER. Only a few minutes.

Mr. BURTON. Then I ask that the gentleman's time be extended for five minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. KING. I have moved that the time be extended indefinitely.

The CHAIRMAN. The committee has granted five minutes.

Mr. KING. If necessary, I will move to extend the time indefinitely after the conclusion of the five minutes.

Mr. FOWLER concluded his remarks as above.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Tennessee [Mr. SNODGRASS].

The amendment was rejected.

Mr. BOREING. I have an amendment.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Kentucky.

The Clerk read as follows:

After line 3, page 60, insert the following words:

"For the construction of lock No. 21, \$50,000: *Provided*, That a contract or contracts may be entered into by the Secretary of War for such materials and work as may be necessary to complete the said lock and dam, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate \$150,000, exclusive of the amount herein appropriated."

Mr. BOREING. Mr. Chairman, the gentleman from Massachusetts [Mr. LAWRENCE] seems to think that the honesty of the committee and the fairness of the pending bill are established in the fact that they have perfect agreement in the committee between the members of the different political parties. To my mind, Mr. Chairman, this is the most suspicious feature of the whole affair. When the leaders of two great parties, who are expected to watch and criticize each other upon the floor, get in bed together, then it is time for the people to look out. The credit mobilier affair and the famous salary-grab measure passed in 1872, which cost the Republican party the loss of their majority in Congress for the first time after the close of the civil war, are examples worthy to be considered here. I do not make these references to convict the Committee on Rivers and Harbors, or to impugn their motives in any degree. I refer to them to show the gentleman from Massachusetts [Mr. LAWRENCE] the defects of his logic and the errors of his ethics. He perhaps remembers that the chief promoters of the great affair to which I have alluded, the credit mobilier, came from Massachusetts and New York and represented the two political parties.

Mr. BURTON. Mr. Chairman, I must rise to a point of order. If the gentleman wants to speak to the amendment, let him do so. Otherwise, I think we had better go on with the bill.

The CHAIRMAN (Mr. CAPRON). The gentleman must confine himself to the amendment.

Mr. BOREING. I am not astonished that the gentleman from Ohio [Mr. BURTON] is sensitive, and I will endeavor to address my remarks to the measure and to the distinguished chairman of the Committee on Rivers and Harbors. It was indeed gallant in him to throw down the challenge to the opposition to present their strongest item against the weakest item in the bill; but it would have been more gallant if he had made this challenge in his opening speech, and not in his closing remarks, after general debate had been exhausted. Even in a five-minute talk I beg leave to call his attention to one comparison. I will put the merits of the Upper Cumberland River project against the merits of the item in his bill appropriating \$307,000 for the improvement of the mouth of the Licking River at Cincinnati.

I plead and rely upon the report and recommendations of Colonel Adams, the engineer appointed by the Government to make the survey of the Upper Cumberland. It will be found on page

2900, Appendix EE, in the Report of the Chief Engineer of the War Department. I challenge the gentleman to produce as strong a recommendation for his item.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BOREING. I should like five minutes more, and I will ask unanimous consent for it. I very seldom occupy the floor and never interrupt a speaker when he has the floor.

The CHAIRMAN. The gentleman requests unanimous consent that his time be extended five minutes. Is there objection?

Mr. BALL. I object.

The CHAIRMAN. Objection is made.

Mr. BOREING. As some gentleman is small enough to make the objection, I will not proceed.

Mr. GAINES. I regret, Mr. Chairman, that the committee in its wisdom has not seen fit to provide for the completion of the work at the several locks that are now waiting for the dams in the Cumberland River. This should be done and at as early a day as possible, both from a business investment to the Government and as a relief measure to the people, who will be greatly blessed by this competitive highway when these improvements are complete. However, the committee has ordered the completion of the Harpeth Shoals (Lock A, 39 miles below Nashville) improvement, which will remove the most "formidable obstruction of the Cumberland below Nashville," and so stated in each of the Engineer's reports, and I know the premises sufficiently to corroborate this statement. Lock No. 1, just 2 miles below Nashville, is ordered by this bill to be completed. This lock belongs to what is known as the "Upper Cumberland," and there are today six other locks in this division standing waiting for the dams to be erected, which, I think, should be promptly done.

However, it is more important that the Cumberland should be opened up, as is contemplated by the Engineer's report, to the Ohio River than it is to complete the work above Nashville, since, however much this improvement may thus appreciate the use of the Cumberland above Nashville, commerce would be strangled more or less in the Lower Cumberland by reason of the Harpeth Shoals and other obstructions, which must be removed before navigation can be had throughout the year.

I am glad that the committee have seen fit to start to the improvement of the Lower Cumberland, because, as stated, it is absolutely necessary to get in and out to Nashville and above Nashville from the Ohio River. That both the Upper and the Lower Cumberland should be improved is unquestionable, and I hope they may; and I submit, as part of my remarks, without comment, an answer to several questions asked by the chairman reporting this bill, of the most distinguished committee of my fellow-citizens who appeared before the River and Harbor Committee in December last. Their answers are brief, pertinent, and undertake to urge propitiously an equitable continuation of this river improvement, which I endorse.

The CHAIRMAN. The gentleman has that privilege.

The matter referred to is as follows:

#### CUMBERLAND RIVER IMPROVEMENT.

*The honorable Committee on Rivers and Harbors, Washington, D. C.*

GENTLEMEN: To bring before you more pointedly the information asked for by your chairman, Mr. BURTON, in our discussion of the improvement of the Cumberland River this morning, we beg leave to state:

First. The most important lock.—Lock A, at Harpeth Shoals, in the Lower Cumberland, is the most important single lock. The masonry of the lock is finished. The estimated cost of putting in the dam and other accessories is \$150,000. It will give a depth of 6 feet at the lock and 3 feet at lock No. 1, 2 miles below Nashville.

Second. Lock No. 1.—Lock No. 1 belongs to the upper-river system, but is located 2 miles below Nashville, as above stated. The completion of lock A before completing lock 1 would back up the water on lock 1 and render it more difficult and expensive to complete. In the last river and harbor bill \$50,000 was appropriated for cleaning out and preparing for the dam at No. 1, and the work is now being prosecuted. The estimated cost of completing lock No. 1 is \$150,000. The masonry is completed. Both locks 1 and A should be completed and put in operation at the same time, and will afford slack-water navigation from a point about 25 miles above Nashville to a point near Clarksville, a distance of about 65 miles below, and will extend the season of navigation to Nashville in the lower river for several months in the year.

Third. Lock B.—Lock B has been located near Clarksville, but the ground for it has not yet been acquired. This lock is very important in connection with No. 1 and A, and should be put under way at the earliest date possible, and when completed will, with Locks 1 and A, overcome the main difficulties to navigation in the Lower Cumberland.

Fourth. Locks C, D, E, F, and G.—Locks C, D, E, F, and G, being the remaining locks in the lower river, have not yet been located. In view of the possible delay in locating and acquiring the necessary ground therefor, we would urge that a specific provision be made for this in the pending bill. This would also be necessary should it be deemed advisable to put the construction of these locks under the continuing-contract system.

#### UPPER CUMBERLAND.

The completion of Locks 2 to 7 in the upper river will cost only about \$750,000, and will give slack-water navigation for a distance of 125 miles above Nashville, and the completion of Lock No. 1 (Upper Cumberland) and Locks A and B in the Lower Cumberland will add 75 miles more, making 200 miles of navigable river.

Within this territory are located the principal cities and towns of the entire river, rendering the completion of this portion of the river of the greatest commercial value.

#### RECOMMENDATIONS OF ENGINEER IN CHARGE.

The importance of completing the improvement in the lower river is recognized and set forth by Lieut. Col. M. B. Adams, United States engineer in

charge of the river, in his last report to the Chief of Engineers, in which he says:

"The estimated cost of providing an outlet into the Ohio River—i. e., the completion of the scheme below Nashville—is \$1,714,500, and with the funds available and the lock sites secured the work might be accomplished in about two years."

And again, Colonel Adams, in further discussing the importance of the lower-river improvement in connection with locks 1 to 7, inclusive, which are now built, says:

"It seems impossible to urge the cost that has first been indicated with too much vehemence, being apparently the only way of securing a return for the expenditures already incurred and may hereafter be incurred within a reasonable time, and for a reasonable additional outlay."

The engineer, after stating that the completion of the improvement would probably reduce the freight charges 40 to 50 per cent, says:

"I do not hesitate, therefore, to ask for the entire sum that will be required to carry the lower-river scheme of improvement and the lower portion of the upper-river scheme of improvement to completion at an early day."

The sums asked for by the engineer, Colonel Adams, in his report cited above, are \$1,714,500 to complete the system in the Lower Cumberland, which he says can be done in two years, and \$1,200,000 for the Upper Cumberland to complete locks 1 to 7, both inclusive, and some minor work in the upper river.

This will secure over 300 miles of navigable water through one of the richest sections of the country and give immediate practical results.

#### CHIEF OF ENGINEERS' RECOMMENDATION.

The Chief of Engineers has cut the amount asked for by Colonel Adams to \$800,000 for the upper and \$900,000 for the lower river.

#### CUMBERLAND RIVER CONVENTION.

It can not be inappropriate for us in this connection to state that we are sent to present these matters to you for your consideration by a large and representative convention of the people in the Cumberland River Valley, held in Nashville, November 15, 1900. In this valley is an estimated population of about 1,000,000 people, and it covers an area of about 18,500 square miles. The latent wealth of this territory is equal to any territory of equal extent in the world. Its arboreal and mineral wealth and agricultural possibilities will make it a most inviting field for the capitalist and the laborer, once the Cumberland River is made a safe and reliable highway of transportation, but which is now suffering for want of river transportation and railroad facilities.

#### SPECIFIC APPROPRIATIONS REQUESTED.

In conclusion, we beg leave to urge upon you that an appropriation be made in the pending river and harbor bill sufficient to cover the following items:

First. To finish Lock A (Harpeth Shoals).....	\$150,000
Second. To finish Lock No. 1.....	150,000
Third. To acquire necessary ground and construct lock and dam of Lock B (say).....	300,000
Fourth. To provide necessary amount for locating Locks C, D, E, F, and G, and acquiring necessary ground therefor, looking to the early completion of improvement in the Lower Cumberland.	
Fifth. To build dams and other accessories to Locks 2 to 7, both inclusive, in Upper Cumberland.	

To this should be added the amount recommended by the Chief of Engineers for keeping the river free from obstructions.

We suggest that the sum appropriated for the Upper Cumberland shall first be applied to the completion of Lock No. 1, by the construction of the dam and other accessories, and to Lock No. 2 and the others in their numerical order as far as the sum appropriated will go.

Respectfully submitted.

M. T. BRYAN, Chairman.  
F. F. PIERCE,  
A. R. GOHLSON,  
A. P. JACKSON,  
W. C. COLLIER,  
C. C. SLAUGHTER,  
EDWARD BUFORD,  
Committee.

Mr. GAINES. I will also insert the report of the Secretary of War on the "Survey of the Lower Cumberland," submitted in 1889, as the report is exhausted and contains much valuable data on this section of the Cumberland.

The report reads:

[House Ex. Doc. No. 85, Fifty-first Congress, first session.]

WAR DEPARTMENT, Washington City, December 31, 1889.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES:

The Secretary of War has the honor to transmit to the House of Representatives, in compliance with the requirements of the river and harbor act of August 11, 1888, a letter from the Chief of Engineers dated the 27th ultimo, together with a report of Lieut. Col. John W. Barlow, Corps of Engineers, on the survey of Lower Cumberland River, Tennessee, from Nashville, Tenn., to its mouth, and also a copy of his report upon the preliminary examination of the same.

REDFIELD PROCTOR.

Secretary of War.

OFFICE OF THE CHIEF OF ENGINEERS,  
UNITED STATES ARMY,  
Washington, D. C., December 27, 1889.

SIR: I have the honor to submit herewith a copy of a report dated December 21, 1889, upon survey of Lower Cumberland River, Tennessee, from Nashville to its mouth, made under the direction of Lieut. Col. J. W. Barlow, Corps of Engineers, to comply with the requirements of the river and harbor act of August 11, 1888.

A copy of the report dated September 10, 1888, of the preliminary examination of this portion of the river is also herewith.

Lieutenant-Colonel Barlow proposes—

The construction of 7 locks and dams between lock No. 1 and Big Eddy, at a cost of .....	\$1,783,350
Channel improvement from Big Eddy to mouth of river.....	26,600
Snagging below Nashville.....	25,000
Improvement in Kentucky Chute at mouth of river.....	129,600

Total..... 1,934,550

This method of improving the river below Nashville is considered feasible, and is a proper extension of the method now in progress above Nashville.

Very respectfully, your obedient servant.

THOS. LINCOLN CASEY,  
Brigadier-General, Chief of Engineers.

Hon. REDFIELD PROCTOR, Secretary of War.



**PRELIMINARY EXAMINATION OF LOWER CUMBERLAND RIVER, TENNESSEE, FROM NASHVILLE TO ITS MOUTH, TO ASCERTAIN IF NECESSARY TO ESTABLISH LOCKS AND DAMS.**

ENGINEER OFFICE, UNITED STATES ARMY,  
Chattanooga, Tenn., September 10, 1888.

GENERAL: In compliance with circular letter dated Office Chief of Engineers, August 28, 1888, having reference to survey of the "Lower Cumberland River from Nashville to its mouth, to ascertain if necessary to establish locks and dams," as provided by act of August 11, 1888, I have the honor to state that works of improvement upon the Lower Cumberland River have been carried on since 1871, and thus having sufficient data based upon prior examinations and information pertaining to some of the shoals in detail and giving the results sought to be obtained by a preliminary examination, therefore I respectfully report that, in my opinion, this lower section of the Cumberland River is "worthy of improvement," even to the extent of establishing locks and dams thereon if found necessary after a complete instrumental survey of the river below Nashville has been made. It is estimated that such a survey would cost about \$4,000.

The public necessity and convenience subserved by the radical improvement of the Lower Cumberland would be the opening up of the vast and varied mineral and forest resources of the Cumberland Valley to navigation, and if to secure this benefit to the fullest extent it is found necessary to construct locks and dams it would constitute but the extension of the lock and dam system of the Upper Cumberland to the lower river. Only an accurate instrumental survey can determine whether such canalization is absolutely necessary.

The commerce of the Cumberland River extends to the most important points of the Mississippi system, and it is thought that this commerce will continue to largely increase as the river above Nashville is improved, by reason of heavy shipments seeking the western waterways.

Very respectfully, your obedient servant,

J. W. BARLOW,  
Lieutenant-Colonel of Engineers.

The CHIEF OF ENGINEERS, U. S. A.

[First indorsement.]

OFFICE CHIEF OF ENGINEERS, UNITED STATES ARMY,  
February 18, 1889.

Respectfully returned to Colonel Barlow, with request that he amend the within report to furnish the "rough estimate or an opinion as to what the improvement desired would cost," called for by circular letter from this office of September 29, 1888, a copy of which is furnished herewith for his information, to be retained.

When the additional information desired is supplied, this report will be returned to this office.

By command of Brigadier-General Casey.

JAS. C. POST, Major of Engineers.

[Second indorsement.]

ENGINEER OFFICE, UNITED STATES ARMY,  
Nashville, Tenn., February 21, 1889.

Respectfully returned to the Chief of Engineers.

The within communication was written without knowledge of the requirements of circular of September 29, 1888, as it has but just reached me.

A rough estimate of the cost of improving the Cumberland by locks and dams from Nashville to the mouth can be based upon the approximate fall of the river in that section, obtained from various railway surveys and detached examinations of the river itself. A comparison of the data thus obtained indicates that the total fall at low water from Nashville to the Ohio River is about 80 feet, and should slack-water navigation be provided upon the entire section of 200 miles, probably 8 locks and dams would be required, the cost of occupying each of the sites being from \$200,000 to \$300,000, depending upon the method adopted. The entire cost of the improvement may therefore be approximately placed at \$2,000,000.

J. W. BARLOW,  
Lieutenant-Colonel of Engineers.

**SURVEY OF LOWER CUMBERLAND RIVER FROM NASHVILLE, TENN., TO MOUTH, TO ASCERTAIN IF NECESSARY TO ESTABLISH LOCKS AND DAMS.**

ENGINEER OFFICE, U. S. ARMY,  
Nashville, Tenn., December 21, 1889.

GENERAL: I have the honor to submit the following report on the survey of the Cumberland River below Nashville, Tenn., in compliance with the act of August 11, 1888, which provides for a survey of "Lower Cumberland River, from Nashville to mouth, to ascertain if necessary to establish locks and dams."

The object of the survey being to ascertain the necessary data upon which to base estimates for an improvement by locks and dams, an accurate profile of the river and special examinations at certain points were deemed essential. To this end the party was so organized that two independent lines of levels were carried from the initial point to the mouth of the river.

The base of the survey was a transit line supplemented by plane table work at certain points.

Following is the order for the organization of the party and general instructions for conducting the survey:

ENGINEER OFFICE, U. S. ARMY,  
Nashville, Tenn., July 6, 1889.

Orders. Assistant Engineer C. A. Locke is hereby assigned to the charge of the survey of the Cumberland River from Nashville to the Ohio, with Mr. B. B. Smith as principal assistant.

Mr. Locke will, in addition to his general duties of supervision, have special charge of the hydrography, which will consist in taking as many soundings as practicable in the pools between shoals, keeping abreast of the transit and level parties. At the shoals and points especially adapted for lock and dam sites more careful and extended soundings will be taken, and, if time permit, borings to ascertain depth to rock bottom will be made.

Mr. Smith will act as chief of the transit party, and run a connected line from initial point to mouth of river, which will serve as a base for the sounding party and the levels.

Both shores of the river must be located accurately with reference to an assumed uniform stage of the river and top of alluvial banks approximately, and the characteristic topography noted.

At shoals and other special points Mr. Smith will make more detailed examinations, using the plane table whenever convenient for this purpose.

The fall of the river being of the greatest importance, two independent lines of levels will be run by engineers assigned to this duty, frequent checks on each other's work being made to prevent or detect errors.

Current observations with the current-meter will be taken, either by the chief of the party or one of his assistants, as often as may be necessary to determine the velocity at the different shoals and the discharge of the river at various points, especially upon every change of volume, either from accession of tributaries or from rains.

In addition to the four engineers above mentioned, there will be employed upon the survey as many rodmen, boatmen, and laborers as may be found necessary.

Two quarter-boats belonging to the appropriation for the Cumberland River will be floated along with the party, and will serve for quarters and messing accommodations.

Supplies, based on the Army ration, will be furnished from this office as may be needed, on requisition of the chief of party.

The appropriation for this survey is a special one, and is limited in amount. The strictest economy in expenditure is specially enjoined, and all purchases of whatever nature must be made upon regular vouchers, which, with other stationery, will be supplied from this office.

It is thought that the progress of the party should average from 3 to 4 miles per day. Over the pools the rate should be much greater, while at special points it must of necessity be less. Delays on account of weather should be as few and short as possible. The whole time requisite to reach the mouth of the river and complete the field work of this survey should not exceed sixty working days.

J. W. BARLOW,  
Lieutenant-Colonel of Engineers.

The party, with some minor changes in its organization, consisted of the following persons: C. A. Locke, assistant engineer in charge; B. B. Smith, assistant engineer in charge of transit and plane table; Lyman Hollingsworth and John Falconnet, in charge of levels; J. J. Garret, Henry Rising, D. B. Garret, William Simpson, J. P. Kilgore, Alfred Spencer, rodmen; one cook and six laborers.

This party began its labors on July 18, 1889, taking as their initial point the bench mark at lock No. 1 of the Upper Cumberland River improvement.

Transportation for the party and property was provided by means of two house flatboats, which served also for quarters, cooking, and messing accommodations. These boats were floated with the current, and there was no difficulty in keeping them up with the progress of the survey.

Unusual high water throughout the season impeded the progress of the work and rendered it extremely laborious, necessitating a suspension from July 30 to August 15, when the water having somewhat receded, the work was resumed and continued without further interruption.

The unfavorable weather and exposure of the party during the survey caused a mild type of chills and fever to appear among the members, nearly every individual suffering more or less from this cause. But in spite of all obstacles great perseverance and energy were exhibited, and the work was brought to a conclusion October 6, when the party was disbanded and the boats left in charge of a watchman at Paducah.

During the progress of the survey the two independent lines of levels were frequently compared and found to vary but slightly, the entire difference at the close of the work being less than 1 foot.

The transit and stadia work, by Assistant Engineer Smith, was continuous, except where broken and supplemented by plane-table details at special points where examinations for lock sites were made.

Assistant Engineer Locke, in charge of party, had also special charge of the soundings, which were continuous and greatly multiplied at the points of special examination.

High water having prevented borings, they were made at a later period, October 15 to November 2, by Assistant Engineer Locke with a small party.

During the progress of the survey the average daily rate was 3½ miles; in some instances a whole day was occupied with special examinations, while in pool water as much as 6 to 7 miles per day were often accomplished.

The transit line ordinarily crossed the river from station to station, and upon this soundings were taken. These stations were generally about 800 feet apart (the river being from 400 to 600 feet wide), but in special cases the stations were nearer.

Where special examinations were made the soundings were located from a base line with two transits.

The topography of the banks was sketched and the height and contours determined approximately with the hand level.

A general map of the river in five sheets,\* on a scale of 4,000 feet to 1 inch, a profile\* showing top of alluvial banks, the low-water surface lines of channel and maximum depths, and the high-water grade line, and 12 plats\* of special examinations are sent herewith.

**GENERAL DESCRIPTION OF THE CUMBERLAND RIVER BELOW NASHVILLE.**

This portion of the river is not as tortuous as the section above Nashville. It has a less declivity and a slightly increased width. The stream varies in width from 400 to 600 feet and flows between high banks, generally of alluvium, though at intervals rock bluffs are found on one side or the other, never immediately opposite. The bottom lands extend on either side about 1 mile from the river to the hills beyond, intercepted generally near their base by a narrow slough, and are considered excellent for farming purposes. Minerals are also found in the adjacent uplands.

The bed of the river has an average slope of 0.41 foot per mile, and is divided by a number of shoals into pools of considerable depth, having a very gentle current.

It was assumed before commencing the survey that the locks, if adopted, should have lifts of about 10 feet; therefore the chief of party was instructed to begin looking for a site as soon as the survey reached a point about 8 feet below the site of lock No. 1, and there to make a careful examination over a considerable extent, giving a corresponding margin for selection. The same method was intelligently continued at successive points to the mouth of the river, and the result in finding good locations was very satisfactory.

An inspection of the map of the survey shows a natural division of this portion of the river into two sections: First, from the mouth to Big Eddy, a distance of 43 miles, with a fall of but 6.44 feet, or an average of 1.8 inches per mile; second, between Big Eddy and lock No. 1, upper-river improvement; the distance is 144½ miles and the fall 68½ feet, or an average of 5.7 inches per mile.

The survey also shows that the lower section of the river has now a depth at low water of 5 feet or more, except at two places, viz, Camp Rowdy and the Upper Horse Ford, respectively 23 and 31 miles above mouth of river. At three other points, viz, Dycusburg, 16 miles; Little Eddy Bar, 38 miles, and Big Eddy Bar, 42 miles, respectively, above mouth of river, the channel is less than 100 feet wide, so that at each of these five places some improvement is desired.

The aggregate cost, however, of necessary improvements at these places, as estimated by Assistant Engineer Locke, does not exceed \$30,000, and consists

\*Omitted.

of dredging in gravel formation, a small amount of rock excavation, and the construction of one wing dam.

It is believed to be proper, therefore, to exclude this section of 43 miles from any present consideration of its improvement by locks and dams. Should, however, a future demand for such improvement be made, a single lock and dam near the mouth of the river would overcome the entire fall in this section of the river and deepen the water sufficiently over the entire distance.

In the other section, from Lock No. 1 down to the Big Eddy, the physical conditions are very different, the fall being 63 feet, irregularly distributed; the greatest slope being on Harpeth Shoals, where the descent is 10 feet in 4 miles; Dover Shoals, 7 feet in 2½ miles; Line Island Shoals, 4 feet in 1 mile; Ingraham Shoals, 3½ feet in two-tenths mile; Gatlin Shoals, 2 feet in two-tenths mile; Palmyra Bar, 2½ feet in one-half mile. Besides these there are several others of less magnitude.

Efforts have hitherto been made to reduce the fall over these several shoals and thus lengthen the season of navigation by the usual method of wing dams and channel excavation. This class of work has been carried as far as seems expedient to continue it, and the results, although valuable, do not satisfy the interests of navigation, a more radical improvement in keeping with that in progress on the river above Nashville being demanded.

A study of the problem of introducing locks and dams on this section of the river discloses conditions which are highly favorable, more so perhaps than exists above Nashville.

The locks—and, in general, the dams also—can be placed on solid rock, and it is believed that a sufficient length of dam can always be constructed to avoid the necessity of resorting to movable dams. Some further study at each selected site will be necessary, however, before an absolute prediction can be made on that point.

The entire fall from the foot of the upper river improvement at Nashville to Big Eddy being 63 feet, seven locks uniformly distributed would give a lift at each site of less than 10 feet. That number of locks is assumed to be requisite, though the lift can not, of course, be made absolutely the same. From Lock No. 1 to the head of Harpeth Shoals, 33 miles, the fall is very gentle, so that by placing a dam at Reeds Reef, immediately below the foot of these shoals, forming a pool 37 miles long, reaching to Lock No. 1, the lift will not exceed 12 feet. The conditions here for a lock and dam are very favorable. Rock foundation at a uniform depth of about 2 feet below low water extends entirely across the river, and the width is sufficient to admit of a dam 500 feet long.

The next site favorably considered is at Davis Ripple, 10 miles farther down, where the conditions are also desirable, the foundations for both lock and dam being rock and the width even greater than the above.

About 11 miles below the latter a third lock site with favorable conditions was also found.

A fourth at Yellow Creek, 23 miles below the last; a fifth at Dover Shoals, 20 miles farther down; a sixth at Little River, 32 miles beyond; and finally the seventh and last at Big Eddy Shoals, the only point for many miles in either direction where solid rock was found to entirely cross the river.

With the exceptions of sites fifth and sixth, rock foundations for both lock and dam can be found. At these two sites the lock can be placed on solid rock, but the abutment and part of the dam can not. The other material, however, is good, firm gravel, which, with proper protection from disturbance, will answer fairly well for foundations.

Detailed estimates for the construction of works at the seven sites above mentioned have been made, the results of which are presented in an accompanying table.

The dams are of the fixed character, the material to be crib work filled with stone. The locks to be constructed of first-class masonry, for which stone of good quality can be found at convenient points on the river.

The estimates are based upon the dimensions and cost of Lock No. 1, upper river improvement, the chamber of which is 52 feet wide with an available length of 230 feet. The lifts of the locks vary from 8½ feet to 11½ feet, with an aggregate of 70 feet.

A table is also presented which shows the character and cost of desired improvements at the several shoals between Big Eddy and mouth of river. The cost of the entire improvement shown in detail in the tables is:

For locks and dams between Lock No. 1 and Big Eddy.....	\$1,783,350
For channel improvement, Big Eddy to mouth of river.....	25,000
For snagging river below Nashville.....	25,000
For improvement in Kentucky Chute at mouth of river, as reported upon by Board of Engineers, June 16, 1888 (see Report Chief of Engineers, 1888, p. 1623).....	120,600
<b>Total</b> .....	<b>1,964,500</b>

The language of the act under which this survey was made requires "to ascertain if necessary to establish locks and dams."

From an engineering point of view the survey seems to thoroughly establish the feasibility of the improvement of this river by locks and dams as far down as Big Eddy Shoals, and as a continuance of the method now in progress above Nashville, it would appear to be worthy of adoption, similar commercial reasons applying to both sections. The language used in my preliminary report of September 10, 1888, upon this question seems specially applicable and is as follows:

"I respectfully report that in my opinion this lower section of the Cumberland River is 'worthy of improvement' even to the extent of establishing locks and dams thereon, if found necessary, after a complete instrumental survey of the river below Nashville has been made."

"The public necessity and convenience subserved by the radical improvement of the Lower Cumberland would be the opening up of the vast and varied mineral and forest resources of the Cumberland Valley to navigation, and if to secure this benefit to the fullest extent it is found necessary to construct locks and dams, it would constitute but the extension of the lock and dam system of the Upper Cumberland to the lower river; only an accurate instrumental survey can determine whether such canalization is absolutely necessary."

"The commerce of the Cumberland River extends to the most important points of the Mississippi system, and it is thought that this commerce will continue to largely increase as the river above Nashville is improved, by reason of heavy shipments seeking the western waterways."

Special commercial statistics are not appended to this report for the reason that such a compilation is preparing by a committee of citizens appointed for the purpose, with the intent of submission to the War Department and Congress. Such data will be submitted hereafter, as soon as they become available.

Reports of Mr. C. A. Locke, assistant engineer, and Mr. B. B. Smith, assistant engineer, are transmitted herewith.

Very respectfully, your obedient servant,

J. W. BARLOW,  
Lieutenant-Colonel, Corps of Engineers.

The CHIEF OF ENGINEERS, U. S. A.

#### Estimate for locks and dams on the Lower Cumberland River.

[From lock No. 1 to the Big Eddy, 144.5 miles; fall, 63 feet.]

Number of lock.	Distance from lock No. 1 (miles).		Earth and gravel excavation, at 30 cents per cubic yard.		Solid rock excavation, at \$1.50 per cubic yard.		Slope wall, superficial yards, at \$2.50 per yard.		Abutment masonry, at \$10 per cubic yard.	
	Distance.	Lift (feet).	Cubic yards.	Cost.	Cubic yards.	Cost.	Superficial yards.	Cost.	Cubic yards.	Cost.
A.....	37.0	11.5	39,000	\$11,700	1,500	\$2,250	7,000	\$17,500	1,000	\$10,000
B.....	46.4	9.2	51,000	15,300	(*)	1,000	3,000	7,500	.....	.....
C.....	58.5	9.0	35,000	10,500	800	1,200	5,000	12,500	300	3,000
D.....	80.7	8.7	46,000	13,800	(*)	1,000	5,000	12,500	700	7,000
E.....	101	10.3	10,000	3,000	22,000	33,000	3,500	8,750	900	9,000
F.....	130.5	11.0	67,000	20,100	4,000	6,000	6,000	15,000	1,000	10,000
G.....	145.5	10.0	60,000	18,000	1,400	21,000	4,000	10,000	.....	.....
<b>Total</b> .....	<b>60.7</b>	<b>308,000</b>	<b>92,300</b>	<b>\$27,780</b>	<b>46,450</b>	<b>\$69,675</b>	<b>83,700</b>	<b>\$209,250</b>	<b>3,900</b>	<b>\$39,000</b>

Number of lock.	Dams (linear feet).		First-class lock masonry, at \$10 per cubic yard.		Crib-work approaches (linear feet).		Cost of gates, maneuvering appliances, grounds, buildings, etc.	Contingencies, at 20 per cent.	Total cost of each lock.
	Linear feet.	Cost.	Cubic yards.	Cost.	Linear feet.	Cost.			
A.....	575	\$23,750	9,640	\$96,400	200	\$9,000	\$29,500	\$40,000	\$245,100
B.....	580	32,000	9,870	98,700	200	10,000	27,500	38,000	230,000
C.....	500	24,000	11,700	117,000	200	10,000	27,500	40,000	246,700
D.....	500	22,800	11,000	110,000	200	10,000	27,500	40,800	247,400
E.....	420	45,600	9,050	90,500	200	5,400	28,500	46,000	288,300
F.....	500	55,250	10,330	103,300	200	10,000	29,500	50,000	299,050
G.....	500	18,000	11,510	115,100	250	14,000	28,500	41,600	246,800
<b>Total</b> .....	<b>3,150</b>	<b>\$226,400</b>	<b>73,100</b>	<b>\$731,000</b>	<b>1,450</b>	<b>\$69,000</b>	<b>198,500</b>	<b>\$296,400</b>	<b>\$1,783,350</b>

\* Dressing.

Estimated cost of locks and dams, \$1,783,350.

#### Estimate for channel improvement.

[From Big Eddy to mouth of river. Distance, 43 miles; fall, 10 feet.]

Locality.	Distance below lock No. 1 (miles).	Present width of channel (feet).	Desired width of channel (feet).	Gravel to be dredged, at 40 cents per cubic yard.		Solid rock excavation, at \$2 per cubic yard.		Riprap dam, at \$10 per cubic yard.		Total cost.
				Cubic yards.	Cost.	Cubic yards.	Cost.	Cubic yards.	Cost.	
Dycusburg.....	171	30	200	5,500	\$2,200	.....	.....	.....	.....	\$2,200
Camp Rowdy.....	162	.....	200	.....	.....	.....	.....	800	\$8,000	8,000
Above railroad bridge.....	153	.....	.....	5,000	2,500	.....	.....	.....	.....	2,500
Upper Horse Ford.....	156	.....	100	36,000	14,400	1,000	\$2,000	.....	.....	13,000
Little Eddy Bar.....	149	20	100	2,000	800	.....	.....	.....	.....	800
Big Eddy Bar.....	145	80	100	1,000	400	.....	.....	.....	.....	400
Total.....	.....	.....	.....	49,500	16,600	1,000	2,000	800	8,000	26,600

Estimate for channel improvement ..... \$26,600  
Estimate for snagging, etc ..... 25,000

**Total**..... **51,600**

#### REPORT OF MR. C. A. LOCKE, ASSISTANT ENGINEER.

NASHVILLE, TENN., December 19, 1889.

COLONEL: Acting under your instructions of July 18, 1889, a survey party began the field operations of a survey of Cumberland River below Nashville, the organization consisting of Asst. Engineer C. A. Locke, in charge of party, and also making soundings, cross sections, and borings for foundation; Asst. Engineer B. B. Smith, principal assistant and topographer, in charge of the transit work; Lyman Hollingsworth and John Falconnet, levelmen. The rodmen were J. F. Killgore, Joe Garrett, William Simpson, Alfred Spencer, David Garrett, and Henry Rising; also six laborers and one cook were employed. The field party was supplied with skiffs and canoes, while two housed flats drifted by the current provided quarters.

From August 1 to 15 the work was interrupted by high water, and throughout the survey the river was unreasonably high, but did not again interrupt the work, which was completed to Smithland on the afternoon of October 2. October 3 and 4 were occupied by a survey of the three outlets to the deep water of the Ohio, a tracing of two of which accompany this on one plot. The boats were left at Paducah with a watchman. The high water interfered so with the borings that Assistant Engineer Locke, Rodman David Garrett, one



cook, and four laborers subsequently descended the river in a 10 by 30 foot housed flat, propelled by oars, from October 15 to November 2, inclusive, and attended to the borings.

The transit party, in charge of Mr. Smith, went ahead staking off the ground, etc., as reported to you by him.

Two level lines were run as checks by Mr. Hollingsworth and Mr. Falconet. They did their work carefully and quickly. On reaching Smithland, 187 miles from Nashville, their elevations differed 0.915 foot, or 0.0049 foot per mile. A profile accompanies this report, which gives the general elevations. The basis of these elevations is the 0 of the Nashville gauge, which was taken from railroad surveys as 366.6 feet above mean tide at Mobile, Ala. The fall at low water was found to be as follows: Nashville to Smithland, 190 miles, 78 feet, 0.41 foot per mile; lock 1 to Smithland, 187.5 miles, 75.176 feet, 0.401 foot per mile; lock 1 to Big Eddy, 144.5 miles, 68.736 feet, 0.475 foot per mile; 5 feet above site of lock 1 to Big Eddy, 69.736 feet, 0.482 foot; Big Eddy to Smithland, 43 miles, 6.44 feet, 0.150 foot per mile.

Assistant Engineer Locke and party made soundings along the transit lines, using sounding rods 16 and 20 feet long at shallow places; with these the character of the bottom was determined and recorded. In deeper water a lead and line were used, but it did not give the character of bottom. The deepest water found was in the first bend above Smithland, 46.5 feet at low water, and the next deepest at Big Eddy, 43 feet at low water.

Numerous sections were made, principally up the alluvial banks by this party, with a pocket level and the sounding rods.

The general features of this river are—always one side bottom land, very often both sides are bottom land; often one side is bottom and its opposite side rock bluff or hills or rock, but never are both sides rock or hills. The banks of the bottom lands are generally from 35 to 45 feet above low water, and the bottom fields higher at the bank than elsewhere; they slope gently away from the river with a narrow base of hills. These bottom lands seldom exceed  $1\frac{1}{2}$  miles in width; are lower and richer on the point side than on the bend side, especially on the lower half of river. The overflows enrich them and do not occur in planting or harvest.

The general width of river increases as it descends, from 400 feet wide to 600 feet wide; all shoal places are wider than above or below them.

From lock 1 to head of Harpeth is 53 miles, with a descent of 0.136 foot per mile. From head of Harpeth to Clarksville is 30 miles, with a descent of 1 foot per mile. From Clarksville to Big Eddy is 82 miles, a descent of 0.421 per mile. From Big Eddy to Smithland is 43 miles, a descent of 0.150 per mile.

The rock found is limestone from lock 1 to 175 miles below, where sandstone is found on to 180 miles below; then limestone on to Smithland, where a clump of sandstone is found. All this limestone is nearly horizontally stratified, except for 5 miles, just below Cumberland City; here a crystalline and dike-like limestone distorts the strata about it. From Cleeves Ferry, 15 miles, to Schilly Island, 136 miles below lock 1, excellent masonry stone is abundant, but less so below there. Specimens from many points were collected and are now in your office. Suitable stone for riprap dams can be had all along the line.

Rock bluffs are generally above the shoals, but the shoals, especially below Clarksville, appear formed of gravel and ferruginous conglomerate of gravel.

Test borings for foundations were made to depths of 16 feet and 20 feet below low water. From these borings it appears that solid rock foundations at moderate depths below the water (2 feet to 6 feet, etc.) can be had on both sides of river as far down as 53 miles below lock 1, below which point only three points were found where this was the case, namely: Five-mile, or Edmonson's Ferry, Yellow Creek, and Big Eddy. Borings were made more or less numerous on the shores opposite the rock or hillside, unless very deep soundings showed it unnecessary. These borings were made by driving down seven-eighths inch to  $1\frac{1}{2}$  inches diameter steel-tipped rods with 18-pound hammers, and the rods hoisted out by a pumping motion of a lever on an automatic clutch. Through the gravel the rod would go from one-fourth inch to 1 inch per stroke, and through the ferruginous conglomerate from one tenth inch to one-fourth inch per stroke. This latter was generally from 8 inches to 3 feet thick.

The stage of the river was such that no opportunity occurred for ascertaining the low-water volume. A general knowledge of the river and some measurements made in 1883 by Assistant Engineer Turrill cause me to think it small in proportion to the area of country drained by it.

A large area of country tributary to this river is principally dependent upon it for transportation. Exclusive of Nashville and Paducah, only two roads come to it, and these cross it at Clarksville and below Kuttawa. The country is rich in farming lands; corn and tobacco are the principal products. Much oak, poplar, gum, ash, and cottonwood are shipped and rafted. Several furnaces are dependent on the river for transportation, and the brown hematite ore along its banks makes an iron which has no superior upon this continent, and which for many years was thought unequalled for boiler plates.

Very respectfully, your obedient servant,

Lieut. Col. J. W. BARLOW,  
Corps of Engineers.

C. A. LOCKE, Assistant Engineer.

#### REPORT OF MR. B. B. SMITH, ASSISTANT ENGINEER.

ENGINEER OFFICE, U. S. ARMY,  
Nashville, Tenn., December 18, 1889.

COLONEL: In accordance with your verbal instructions of December 18, 1889, I submit the following report of transit, plane table, and current meter work done by me on the Lower Cumberland River survey of 1889:

The start was made July 18, 1889, at lock No. 1, Cumberland River, the base line for the construction of lock No. 1 being used as the base line of the transit line. In general the method followed was a triangulated line of back and fore sights, distances being measured by stadia. This line was continuous throughout the entire length of the river, with the exception of six short breaks, in which the plane table was used for detail work. In all cases the connection between plane table and transit lines were made in the field, and from several tests the lines may be considered as continuous. The direct distance between stations averaged about 800 feet, eight stations averaging a mile actual advance. Stations were numbered from 1 to 1,540 continuously. Stations were all flagged and used as lines for soundings.

The distance between stations was shortened at all bluffs, bars, and islands, or wherever more detailed work seemed advisable. From 2½ to 7 miles, averaging 40 stations, was made daily. High water and mud to some degree retarded the work during the whole survey, but great care was used throughout the work in the manipulation of the transit. The magnetic bearing was taken at every station.

In addition to angles and distances a continuous sketch was kept of the whole river. The sketches comprise the shore line, bank contours, hills, bluffs, bars, and islands, and as far as possible roads and railroads contiguous to the river. Cultivated land, virgin and second growth forests, and all steamboat landings and towns were included.

The plane-table sketches comprised as much detail as possible, the position of the table being obtained by back and fore sights checked by the needle.

Current meter observations were taken at six important points on carefully made cross sections.

Adjustments of the transit and stadia were examined at least once a week throughout the survey. The transit used was a Gurley, reading to 20"; the plane table, a DeVoe of the latest approved pattern; the current meter, a Buff & Berger electrical instrument.

The country through which the Lower Cumberland flows is exceedingly rich for agriculture. The level fields are broken occasionally by ranges of rocky hills and heavy limestone bluffs. The river itself is confined by steep alluvial banks averaging about 35 feet in height. The hills approach the river here and there, skirting its banks in long lines of heavily wooded knobs, or rising in steep bluffs above its surface.

For the most part the banks are covered with a virgin growth of cottonwood, sycamore, and beech, or a second growth of willows. The lands above the river are nearly all cultivated. Great low-lying swamps surround the high land in some localities, the swamps themselves covered with a virgin growth of heavy cottonwood, gum, beech, birch, hickory, and swamp oak. The timber in the swamps and on the knobs is valuable. Quarries of good stone are easily located and the hills contain fine beds of iron.

Corn, tobacco, and hogs are the chief agricultural products of the country. The towns along the river are prosperous, being the shipping points for the farms back from the river. Clarksville, Dover, Tobaccoport, Eddyville, and Kuttawa are important tobacco points. Several large iron and saw mills ship their products by river. The Louisville and Nashville Railroad crosses the river at Clarksville; the Chesapeake, Ohio and Southwestern below Kuttawa. The chief industries of the people are agriculture, cattle raising, mining, and lumber. Table of current-meter velocities herewith.

Respectfully submitted,

BENJ. B. SMITH,  
Assistant Engineer.

Col. J. W. BARLOW,  
Corps of Engineers, U. S. A.

#### Table of velocities on the Lower Cumberland River.

[Taken with Buff & Berger electrical current meter.]

Locality.	Distance from Lock No. 1.	Stage of water.	Width of river.	Depth of river.	Depth of meter.	Velocity per second.	Mean velocity per second.
	Miles.	Feet.	Feet.	Feet.	Feet.	Feet.	Feet.
Head of Barns Bar	8	6.5	515	10	6	3.3	
	8	6.5	515	12	7	3	3.15
Head of Robinson Island	12.5	6	640	10	5.5	4.7	
	12.5	6	640	11	6.5	6.5	
	12.5	6	640	12	7	5.8	
	12.5	6	640	10	5.5	8.3	6.08
Left chute	12.5	6	130	16.5	6	3.3	3.3
Head of Gowers Island	24	5	435	13.5	6.7	6	
	24	5	435	13	6.5	6.4	
	24	5	435	2	1	2.8	5.06
Right chute	24	5	169	9.3	4.6	2.2	
	24	5	160	9.2	4.6	3	2.6
Foot of Harpeth Shoals, July 30	35	7.5	840	8	4	7.5	
	35	7.5	840	8	4	8.3	7.9
Left chute, behind dam	35	7.5	840	9	4.5	6.1	6.1
Foot of Harpeth Shoals, Aug. 15	38	4	820	6.5	4	5.2	
	38	4	820	7	4	5.9	
	38	4	820	8	4	6.8	5.96
Left chute	38	4	820	8	4	2.9	2.9
Below Seven-mile Island, Aug. 15	58	5	515	9	4.5	2.7	
	58	5	515	10	5	4.5	
	58	5	515	7	3.5	3.2	3.46
Palingra Bar	74	3.5	200	9	4.5	5.3	
	74	3.5	200	10	5	6.4	
	74	3.5	200	5.5	2.5	6.3	6.0

#### The Clerk read as follows:

Improving Licking River, Kentucky: Improving the Three-mile Ripple and adjoining shoals, in accordance with report submitted in House Document No. 645, Fifty-sixth Congress, first session, \$100,000, and a contract or contracts may be entered into by the Secretary of War for such materials and work as may be necessary to prosecute the construction of a lock and dam in said river as described in said report at a point to be selected between 5 and 6 miles from its mouth, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate \$207,000: *Provided*, That the site for said lock and dam shall not be selected or a contract entered into for its construction until after a definite location is chosen for the lock and dam at Cullums Ripple in the Ohio River herein provided for.

Mr. BROMWELL. I suggest an amendment, to which I have already called the attention of the chairman of the committee, on line 8, page 61, in the concluding section of this paragraph, referring to the lock and dam at Cullums Ripple, in the Ohio River. In the language of the original resolution and also in the reports of the engineers, the words "at or near Cullums Ripple" are used. I want to explain that the engineers in charge think that they can locate this proposed dam at Cullums Ripple some little distance down the river below the Ripple so as to give the same depth of water for the same distance up the river that it would secure if located at Cullums Ripple. In other words, they will give a greater benefit by locating it from 3 to 10 miles below Cullums Ripple than if at the Ripple itself, and will thus gain additional stretch of improvement in the river. The committee are satisfied, and I therefore ask to amend by inserting after the word "at" the words "or near."

Mr. BURTON. I have no objection to that. I think it ought to be inserted.

The Clerk read as follows:

On page 61, line 8, after the word "at" insert the words "or near."

The amendment was agreed to.

The Clerk read as follows:

The sum of \$5,401.86, being the balance of an amount heretofore appropriated for the survey of the Licking River in Kentucky, or so much thereof as may be necessary and remaining unexpended, is hereby diverted and made available, to be expended, in the discretion of the Secretary of War, in restoring the bank of the Ohio River and roadway between Covington and Ludlow, Ky.

Mr. RHEA of Kentucky. I offer the following amendment.

The Clerk read as follows:

Insert after line 16, page 61, as follows:

"Improving Green River: For the beginning of the construction of lock No. 6, above the mouth of Big Barren River, in accordance with report of engineers submitted in House Document No. 103, Fifty-sixth Congress, first session, \$90,000."

Mr. RHEA of Kentucky. Mr. Chairman, this amendment is offered in good faith and upon its merits. I can well understand the difficulty that beset the River and Harbor Committee in the adjustment of the many allowances to be made, and I shall offer no criticism upon its work as shown in this bill. I am sure, however, had it not been for the multiplicity of projects presented before that committee, had the allowances sought to be made in this amendment been duly considered by that committee upon its merits, it would have found favor in the committee room.

Away back yonder, three-quarters of a century ago, the improvement of Green River became an object of concern of the State of Kentucky. Among the earlier surveys made there this very improvement sought in this amendment was recommended. The State has expended of its own funds several millions of dollars in the improvement of Green River. At last finding the work almost too heavy for State concerns, it sold the franchise of Green and Barren rivers to a corporation in Kentucky, which expended hundreds of thousands of dollars upon improvements on Green and Barren rivers, until at last the importance of these rivers to commerce so commending itself to the Federal Government, it being known to be a Federal and national affair, the Government purchased from the Green and Barren River Navigation Company the franchise granted by the State legislature of Kentucky and took charge of the rivers itself.

That occurred some fifteen or eighteen years ago. From that time to the present time a comparatively small sum of money has been expended by the Federal Treasury in carrying on the improvements recommended and commenced more than half a century ago in Kentucky. That this river is a national concern—is a Federal concern—may be shown easily by the reading of the reports of the different engineers who have surveyed and made estimates, which I will not burden the House with now. But vast timber interests, coal interests, mineral interests, and agricultural interests are concerned in the improvement of this river. Nearly 2,000,000 tons of freight went out of it last year, finding its way into the Ohio River, finally touching the city of Evansville, Ind., which is a great distributing point for the counties lying along the banks of this river in Kentucky.

Now, I only ask for \$90,000. That is half the total sum which will be necessary to carry out all that the State surveys or the Federal surveys, through their different engineers, have ever recommended for the total completion of this work. I ask the chairman of this committee, or any member on it, if any good reason can be shown why this project should not be completed. When the building of lock No. 6 is completed, the last dollar recommended by Federal survey will have been expended; so that the entire river will be opened up for navigation from the beginning point to its outlet in the Ohio River. I shall submit the report of the engineer to this committee, and not burden the House with it; but I ask at the hands of this committee fair consideration for this amendment. [Applause.]

[Mr. KING addressed the committee. See Appendix.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Kentucky [Mr. RHEA].

The question was taken; and the amendment was rejected.

The Clerk, proceeding with the reading of the bill, read as follows:

Improving Ohio River from its head to its mouth: Continuing improvement, \$400,000, of which amount \$21,000, or so much thereof as may be necessary, shall be expended in the construction of an ice pier at Maysville, Ky., \$45,000, or so much thereof as may be necessary, in completing the survey heretofore provided for to the mouth of the Big Miami River, \$41,000, or so much thereof as may be necessary, in the improvement of the Falls of the Ohio near Louisville, and \$30,000, or so much thereof as may be necessary, in improvements at or near Davis Island Dam, if in the judgment of the Secretary of War the same should be made in the interests of navigation or the maintenance of Government works heretofore constructed.

Mr. GROSVENOR. Mr. Chairman, I desire to offer an amendment, which I send to the Clerk's desk.

The Clerk read as follows:

"In line 6, on page 62, after the word 'constructed,' add the following: 'Provided, That not exceeding \$3,000 of said sum may be used, at the discre-

tion of the engineer in charge of said improvement, in removing the deposits of every description which have accumulated at or near the ice piers now standing at various places alongside the river."

Mr. BURTON. I want to suggest one or two changes in phraseology. It should read, "\$3,000 or as much as may be necessary." The word "provided" should not occur. I have no objection, Mr. Chairman, to this provision, but I want to suggest to my colleague from Ohio that it seems to me a little indefinite as to where the money should be expended.

Mr. GROSVENOR. I will state, Mr. Chairman, to the gentleman from Ohio and to the committee that there are a number of ice piers which have been cheaply constructed along the river, intended as places of rendezvous for craft on the river on the occasion of the running of ice in the winter seasons. These are constructed at a cost of about \$7,000 each—cheaply constructed affairs. But they have proven very effective and most valuable in the navigation of the river. Colonel Morrell some years ago, after their construction, made a report pointing out the very large sums of money that had been saved by sheltering and protecting vessels that had taken refuge from time to time below these piers during the running of ice in the river.

They are made use of in this way: Towboats, barges, steamboats, and other craft navigating the river drop down a little below the piers and make fast to the top of them, and remain there during the rush of ice in perfect protection; and after the subsidence of the freshet depart on their voyage.

Now, the eddies that form below the ice piers necessarily deposit the floating material in the waters of the Ohio and fill up these places below the pier so as to prevent craft from taking refuge in times of ice freshets. The water is shallowed below the structure, so as in some cases to make it impossible to use them at all.

Application was made to the engineer by the authorities of the city of Middleport, near which one of these piers has been erected, to dredge out the material which had accumulated below the pier. The engineer answered, and I have the answer, but not at my desk, that he recognized the necessity, but doubted whether he had the right to use any of the general appropriation in this way—I mean the general appropriation for the improvement of the river—for the purpose suggested, and that is the reason this proposition is brought in here now, except that I do not use in the amendment the exact phraseology of the engineer.

That is all there is of it. It does not ask the appropriation of a dollar, but simply allots a sum not exceeding \$3,000 to be used for this purpose.

I ought to say, too, that by inadvertence in the beginning I omitted to bring this question before the Committee on Rivers and Harbors, and therefore no action has been taken either for or against the amendment.

The CHAIRMAN. The Chair will state that the Clerk has modified the language of the amendment as suggested by the chairman of the Committee on Rivers and Harbors.

Mr. GROSVENOR. That is entirely satisfactory to me.

The question being taken on the amendment of Mr. GROSVENOR, it was agreed to.

Mr. GRIFFITH. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Insert in line 21, page 61, after the word "Kentucky," the following:

"Ten thousand dollars, or so much thereof as may be necessary, shall be used in completing and strengthening embankments at Lawrenceburg, Ind."

Mr. BURTON. I make the point that this is not the place for the amendment, and, in the next place, we have passed over that provision of the bill.

Mr. GRIFFITH. Oh, no.

Mr. BURTON. I understand this is offered to line 16 on page 61?

Mr. GRIFFITH. No, sir; but after the word "Kentucky," on line 21 of page 61.

Mr. BURTON. I misunderstood the reading of it, then. I withdraw the point of order.

Mr. GRIFFITH. I only wish to say, Mr. Chairman, that this sum of \$400,000 is appropriated to continue the improvements of the Ohio River. The amendment does not increase the aggregate appropriations made for the improvement of the stream, but simply directs that this sum shall be expended in the manner I have indicated at this point. This project has been undertaken by the General Government, and this amendment is for the purpose of completing this work. This is all I desire to say on the question.

Mr. BURTON. Mr. Chairman, the committee strove as far as possible to cover all these items where it was practicable to do so. I felt some reluctance to let this item on page 61 go on; but there was an unexpended balance of the appropriation found, and it seemed proper to expend it in that manner.

Where the mere question of strengthening the banks of the stream for purposes of navigation is the question at issue, the engineers have the right and discretion to do the work anyhow; and to take up provision after provision of this kind and undertake to make appropriations for each one independently, if one should be



excluded, it would be favoritism somewhere, and in my judgment it is vicious legislation. I do not believe any good could be accomplished by it, and hence I move that the amendment be rejected.

The question was taken on the amendment of Mr. GRIFFITH; and it was rejected.

Mr. GRIFFITH. I offer the amendment which I send to the Clerk's desk.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Indiana.

The amendment was read, as follows:

Insert, in line 24, page 61, after the word "river," the following: "Ten thousand dollars, or so much thereof as may be necessary, shall be used in deepening the harbor at Madison, Ind."

Mr. GRIFFITH. Mr. Chairman, in support of that amendment I will simply say that it has the indorsement of every steamboat owner, of every captain, and of every pilot navigating the Ohio River. I submit this amendment on its absolute merits and upon the absolute justice connected with it.

Mr. BURTON. Mr. Chairman, there is a considerable balance on hand there, as I recollect. At any rate, I do not think we ought to make an exception there.

The amendment was rejected.

Mr. KING. Mr. Chairman, I desire to return to page 62, lines 7 to 15, and move to strike them out for the purpose of asking the chairman of the committee a question.

The CHAIRMAN. The paragraph has been passed. That can only be done by unanimous consent.

Mr. KING. I ask unanimous consent to return to lines 7 to 15, page 62, for the purpose of asking the chairman of the committee a question.

The CHAIRMAN. Is there objection to the request of the gentleman from Utah?

There was no objection.

Mr. KING. For the purpose of predicated my question upon something, I move to strike out lines 7 to 15, page 62.

I would like to have the chairman of the committee answer this question, if he will kindly do so: Would it not be better, in view of the fact that a provision has been made in the bill for the appointment of a board of reference or determination, to refer this matter to that board? If a board is created to equalize the improvements that are to be made and the appropriations that are to be expended, why not refer this matter to that board?

Mr. BURTON. I will say to the gentleman from Utah that under the provisions of the act this question could very readily be referred to the board provided for in section 3. The board are to take up such questions as are submitted to them by the Chief of Engineers. The Chief of Engineers acts for the Secretary of War, always with his confirmation or approval or direction in these matters, and if he regards it desirable that this board of review should consider this subject they certainly would do so.

Mr. KING. Then it seems to me that it would be far better that the matter referred to in lines 7 to 15, page 62, should be eliminated from the bill.

Mr. BURTON. I do not think so. I will tell the gentleman the reason for that. There has been a very decided handicap to navigation in that river for twenty-three years by the bridges at Steubenville, Bellaire, and other places. Resolutions have been passed and requests for information have been made, and the committee thought it really best to take some action in the matter; not a particularly decisive step, but to express in distinct language the desire of Congress that something should be done about this. We should ascertain, first, whether under the general law these bridges can be modified to meet the requirements of navigation; second, if not, what other steps ought to be taken.

Mr. KING. The gentleman will pardon me. Why do you not make this authority general? Why turn your gaze purely and exclusively to the Ohio River in this respect? Are there not other bridges upon other streams which interfere with navigation that should be investigated? Why not authorize the investigation of all rivers instead of the Ohio alone?

Mr. BURTON. I will state to the gentleman that there is a statute in existence, passed first in 1890, reenacted in 1899, of a general nature, pertaining to bridges and their obstruction to navigable streams. That statute has been resorted to with very salutary results in California and other portions of the United States; but exceptional conditions existed on the Ohio River in this: Several of these bridges were constructed at least half a century ago—

Mr. KING. Were they constructed without the consent of the Federal Government?

Mr. BURTON. Without any reservation, at least as I understand it, or without any provision in the bills that Congress might alter, amend, or repeal. That is one thing we want to find out by this provision. My understanding is that there was no right reserved by Congress to alter, amend, or repeal the provisions in several of these bridges, and that they have rights supe-

rior to the control of the Secretary of War, under the acts of 1890 and 1899.

Mr. KING. It seems to me that nothing the gentleman has said justifies the retention of this provision here. The provision ought to be elaborated so that an investigation could be had in regard to other bridges upon other streams, or it should be stricken out.

It is a most singular fact that the Ohio River should be the object of so much solicitude in this bill. I renew my amendment, that all of lines 7 down to 15, page 62, be stricken out.

The question was taken, and the amendment was rejected.

Mr. WM. ALDEN SMITH. Mr. Chairman, the gentleman from Utah, who has just taken his seat, has asserted with considerable emphasis that because a State has taken the initiative in a great public improvement, it is necessarily committed to its maintenance, and he believes that it is right that the General Government should be relieved from responsibility, and that the improvement should be carried on and maintained by the State originally moving in the matter. This is most fallacious and will not bear analysis for a single moment, and for the information of the House, and the gentleman from Utah in particular, I desire to call attention to the fact that one of the greatest waterways of which this country can boast—the St. Marys Canal—was originally made navigable by the State of Michigan. In 1835 the State of Michigan constructed the first ship canal around the rapids of the Sault Ste. Marie River, at a cost of about \$100,000.

That, Mr. Chairman, was for the accommodation of the traffic immediately related thereto, but in no manner contemplated the tremendous development which has resulted at that point. Can it be argued that because Michigan thus took the initiative, that she is bound to maintain the St. Marys Canal? I think not, and I hardly think that the gentleman from Utah, after he has heard what may be said upon this subject, will entertain the idea for a single instant. The traffic of this canal, originally limited to the adjacent territory, has increased in such proportions as to be almost incomprehensible. It is the greatest canal in the world. From accommodating less than 500 lockages in a year, the lockages for the present season, just closed, aggregate more than 20,000, and of the vessels carrying traffic through this canal, all save about one twenty-fifth were American vessels, while the total value of the cargoes carried through this waterway amounts to over a quarter of a billion of dollars per year.

In favorable seasons it is said that freight is carried through this canal at less than 1 mill per ton per mile, which is only about one-third the lowest railroad rate, while the tonnage of the St. Marys Canal in the past year has exceeded 29,000,000 tons—a tonnage greatly in excess of that which passes through the Suez Canal or enters the port of London or New York during the year. This unparalleled statement evidences the enormous strides not alone of the territory adjacent to the Sault Ste. Marie River, but of the whole Northwest as well. Through this canal passes the products of every State of the Northwest to the seaboard, and to undertake to burden the State that took the initiative in the establishment of this great enterprise would be a burden for which no corresponding advantage could possibly be reaped.

We, in Michigan, are proud of this great waterway. We want it maintained. We want the locks enlarged. We want the great plans of Weitzel and of Poe for the enlargement of the locks to be executed and supported by generous appropriations, but the members of this House, sitting about me, from the States of Iowa and Nebraska, Wisconsin and the Dakotas, and the far West, have an equal interest with Michigan in the maintenance of this great avenue of commerce. I believe in liberal appropriations for public works of this character. I believe in generous appropriations for the improvement of the waterways of our country—rivers, harbors, and canals. These natural highways constitute both the lever and the fulcrum, and enable the farmer of the West to deliver his corn and his wheat at the seaboard at the lowest possible minimum cost.

Is it possible that the gentleman from Utah has no comprehension or conception of the importance of this great national work? If not, I shall take pleasure in sending to the Clerk's desk an article in the last number of the Scientific American giving a description of the work now in progress there.

Mr. KING. I have read the article to which the gentleman refers.

Mr. WM. ALDEN SMITH. Then I will put it in the RECORD for the benefit of the gentleman's constituents.

Mr. KING. My constituents, I am afraid, are better posted on that than the constituents of the gentleman from Michigan.

Mr. WM. ALDEN SMITH. Possibly; but their intelligence does not seem to be reflected in the statements of the gentleman from Utah.

Mr. Chairman, the importance of this waterway everybody will concede. That it has grown to be the favorite child of the General Government everybody will admit. That it is absolutely essential to the commercial and industrial interests of the country

no one will deny. Michigan is interested in its maintenance. Michigan furnishes a great deal of traffic for this canal, but the raw material which is produced from her mines and from her forests stimulate the industries of Pennsylvania and Ohio and of many sections of our country. Michigan has over 1,500 miles of lake coast.

Is it the idea of men who come from sections not favored by water communication that the great commerce of these lake States should be burdened with excessive railroad charges, when nature has opened up such a natural pathway through which their commerce may pass at lessened cost? The General Government exercises jurisdiction over these water highways. You can not build a bridge across a navigable river of our State without first obtaining the permission of the Washington authorities. You can not interfere in the slightest degree with the navigation of a harbor without offense to Uncle Sam. The responsibility of the Government is coincident with its authority, and I am glad to compliment the committee and especially the distinguished chairman on Rivers and Harbors for the broad, statesmanlike, comprehensive plan upon which this bill is based; and I wish to say that no member of that great committee has done more efficient or conscientious service than my colleague from Michigan, Colonel BISHOP.

Something has been said about the interests of Michigan in the bill. Some comment has been made upon the fact that it carries nearly \$7,000,000 of appropriation to be used in the State of Michigan; but when it is recalled that Michigan is a peninsular State, almost surrounded by water, it can be readily seen that her interests are naturally paramount in the framing of a bill of this character.

We are justly proud of the growth and development of our State. I would have the House to understand that Michigan stands first in the production of copper, and that the copper that comes from her mines commands the highest price paid for copper anywhere in the world, because it is of the best quality. Michigan is first in the production of iron ore, of which the gentleman from Utah may have no appreciable conception.

Michigan is one of the three States of the Union that produces over 2,000,000,000 feet of lumber annually. This copper, this iron ore, this lumber is needed in almost every State in the Union. Burden it, if you please, with an excessive cost for transportation and you burden not the dealer but the purchaser of these articles. Commercial necessities demand the free and unrestricted navigation of our waterways, which is the best guaranty of the minimum cost of transportation.

This whole subject, Mr. Chairman, is related to and reflected in the question of foreign trade. During the year 1890 there was exported \$157,000,000 of manufactures, of which iron and steel amounted to but \$27,000,000. During last year, Mr. Chairman, there was exported \$450,000,000 in manufactures, of which iron and steel amounted to \$127,000,000. How important it is that the raw material from the mines of Michigan and Minnesota should reach the place of its manufacture at the lowest possible cost, and what an immense section of our country and what an untold number of our people are directly affected by this result.

The people of the State of Michigan appreciate the value of water communication. There is not a town or a city upon the Lakes that would not rise up in arms against any proposition calculated to interfere with the free and unrestricted enjoyment of these waterways, these rivers, harbors, and canals with which nature has been so generous to us.

I congratulate the committee upon the liberality and the generosity, the breadth and scope of this bill as it applies to the whole country, and particularly the State which I have the honor in part to represent, and in the name of the people thus affected I shall support the measure and vote for its adoption, believing it to be conducive to larger trade possibilities and wider fields of usefulness and importance for the people of our country. [Loud applause.]

The Clerk read as follows:

The provision in river and harbor act of June 3, 1896, authorizing contracts for the construction of dams Nos. 2, 3, 4, 5, and 6 in the Ohio River (as amended by the sundry civil act of June 4, 1897), and the provision in the river and harbor act of March 3, 1899, authorizing contracts to be made for the construction of dams Nos. 13 and 18, are hereby so amended as to authorize the Secretary of War, in his discretion, to expend the amounts appropriated for these works by contract or otherwise, as may be most economical and advantageous to the Government, and the said Secretary may exercise the same discretion in the improvements at dams Nos. 8, 11, and 14, and Cullums Ripple, herein provided for.

Mr. BROMWELL. I wish to suggest the same amendment to this section as in the previous one, inserting after the word "and," on page 63, the words "at or near."

The Clerk read as follows:

On page 63, line 5, after the word "and" and before the word "Cullums," insert the words "at or near."

The amendment was agreed to.

Mr. KING. I desire to ask the gentleman from Ohio if he knows

whether or not this system of locks and dams in the Ohio River has been successful?

Mr. BROMWELL. I will answer the gentleman, from my own knowledge, that it has. The chairman of the committee or the member on the committee from Kentucky [Mr. BERRY] can probably give the gentleman more detailed information; but there is no question at all but what these locks and dams have been a magnificent success everywhere in the Ohio River so far as constructed.

Mr. KING. Does the gentleman know how much has been expended in the Ohio River in locks and dams?

Mr. BERRY. The only complete one is at Davis Island, 6 miles below Pittsburg, which cost a million dollars.

Mr. KING. One million?

Mr. BERRY. Yes, sir.

Mr. KING. What does the project which has been suggested by the engineers, and which has received more or less approval of the committee, involve?

Mr. BERRY. Possibly \$20,000,000 if the whole system is carried out from Pittsburg to Cairo.

Mr. KING. Does not this bill and the provisions herein contained for the Ohio River commit the Government to an appropriation of twenty-odd millions of dollars for that river?

Mr. BERRY. Not absolutely. These locks are authorized separately.

Mr. KING. But if you do not complete the entire project the appropriations made in the past will be useless.

Mr. BERRY. No, it would be all useful, but it would be much better if it was completed as a whole.

Mr. KING. The project contemplated is making the river deeper and wider?

Mr. BERRY. It contemplates giving 6 feet of water from Pittsburg to Cairo.

Mr. KING. How many dams will it require under this project?

Mr. BERRY. I think 16 or 17; I have forgotten the exact number.

Mr. KING. And this bill provides for the fourteenth dam?

Mr. BERRY. I think it is the fourteenth.

Mr. KING. Then, practically, it is carrying out the scheme which will involve an appropriation of \$20,000,000.

Mr. BERRY. It is under the contract system, so much appropriated and so much to be carried under the sundry civil.

Mr. KING. Mr. Chairman, it seems to me the appropriation herein contained in this bill for the Ohio River is outrageously extravagant. It seems to me it is committing this Government to a project which ought not now to receive the indorsement of this committee and of this House.

Mr. SHATTUC. May I ask the gentleman a question?

The CHAIRMAN. Does the gentleman from Utah yield to the gentleman from Ohio?

Mr. KING. Yes.

Mr. SHATTUC. Has the gentleman from Utah looked into this matter carefully?

Mr. KING. If the gentleman from Ohio had listened to the questions I have been asking he certainly would not have asked that question.

Mr. SHATTUC. The questions showed to my mind that the gentleman from Utah did not know very much about it. [Laughter.]

Mr. KING. I confess, Mr. Chairman, I asked the questions because I did not know much about it, and I am free to say that if I wanted information I would not ask the gentleman who interrogated me, but I should ask some gentleman who knew, and not the gentleman who has risen to interrupt me. [Laughter.]

Mr. Chairman, I do not think it is anything to condemn one for, that he does not know, but rather to the credit of a member of Congress, because we do not know much, especially if we come from the West, who manifest a disposition to know something. I sympathize with the remarks of the gentleman from Washington [Mr. CUSHMAN]. It is manifest that this committee has taken good care of the Ohio River, and we are now embarking on a policy that will appropriate \$20,000,000 for the Ohio River, when there are other numerous items that ought to receive the attention of this House.

The question was taken on the amendment, and the amendment was agreed to.

Mr. BROMWELL. Mr. Chairman, I move to strike out the last word. I refrained from taking part in the general debate on this bill, but in view of the criticisms by the gentleman from Utah, who has just taken his seat, I think a few remarks for his enlightenment, not perhaps necessary for the enlightenment of any other member of the House, might be desirable. In the first place, the gentleman ought to know that the Ohio River is a stream 1,000 miles long and on an average 1 mile in width. The gentleman ought to know that the Ohio River carries a commerce of over 17,000,000 tons a year.

Mr. KING. The gentleman from Utah knows all that.



Mr. BROMWELL. I do not believe the gentleman knows all that, and I do not believe that he knows a good deal of what I am going to tell him.

The CHAIRMAN. Does the gentleman from Ohio yield to the gentleman from Utah?

Mr. BROMWELL. No, I do not; the gentleman has had his share of the time on this bill and I now want a few minutes myself. The Ohio River is a river which fifty years ago would compare as a commerce carrier with any other river in the world. Before the forests were cut off on the hills and mountains in Virginia, Pennsylvania, and Kentucky it had an average depth of 15 to 20 feet in almost every month of the year. No obstructions to navigation were there, and vessels in that day were able to handle the commerce of the Ohio River every day out of the three hundred and sixty-five. But with the denudation of the hills and mountains, the water which was kept back by these forests comes down in the spring in freshets, and during the summer time the Ohio River suffers from a drought which makes it unnavigable for weeks and months. At high water in the Ohio River the greatest war ship ever constructed could float with 20 feet of water beneath her keel. At low-water mark the river gets so low that an Indian canoe would strike bottom in the channel in some places. Now, this great river, Mr. Chairman, has been partially improved by the construction of locks and dams, and it is the policy of this Congress, as shown by what it has already done, to continue that improvement so that the Ohio River shall have throughout every day of the year an average depth of 6 feet of water.

Let me give the gentleman some figures to show how these various fluctuations of depth obstruct the flow of commerce. During August, 1899, there were eight days when the river was below 6 feet in depth; in September, twenty-six days. In every day in the month of October the river was below 6 feet. In November that was true for ten days. So from the 8th of July until the 7th day of November navigation was possible on that river for vessels of the smallest draft only. In 1881, on the 18th of September, the Ohio River in its channel at Cincinnati was only 1 foot and 11 inches in depth, so that a man could wade across it without getting wet to his waist.

Mr. Chairman, the commerce on the river during the year 1899 was over 17,000,000 tons. I ask gentlemen to reflect for a moment on this enormous amount of tonnage. Thirteen million five hundred and twenty-nine thousand seven hundred and forty-two tons of coal came from Pittsburg down the Ohio River during the year, and 3,612,985 passengers were carried back and forth on it during the same period.

Mr. SHACKLEFORD. Let me ask the gentleman a question.

Mr. BROMWELL. Certainly.

Mr. SHACKLEFORD. Has the work done by the Government on the Ohio River increased the commerce on that river?

Mr. BROMWELL. It has not as yet done so; but it has facilitated the shipment of coal by making its transportation upon the river comparatively safe, as compared to years gone by. This has allowed the great coal fleets to drop down the river and find a harbor in the pools above the dams, where they could not find one a few years ago. In that way the work in increasing the commerce of the river is rapidly progressing.

Why, gentlemen who have not seen the coal traffic upon the river have no idea of the immensity of it. Thirteen million tons of coal in one year! Just think of it. Let us take this calculation to compare it with railroad transportation: Forty thousand trains of cars, each train consisting of ten cars, would be required to transport the coal which has been sent down the Ohio River in one year; it would take 100 trains a day to carry it; it would take four trains an hour; it would take a train leaving Pittsburg—a train carrying ten loaded cars—every fifteen minutes of every day of the year to enable the railroad companies to transport the immense output of coal which goes down the river by barges during one year. One tow of coal boats alone that went down the Ohio River from Louisville, and down the Mississippi to New Orleans, covered an area of 10 acres.

Now, gentlemen, Cincinnati, it has been said by the gentleman from Kentucky [Mr. WHEELER] and others, is the sole beneficiary of this work at Culloms Ripple. But let me state to the gentlemen that this is but one of a chain of locks already finished, or to be constructed. This one has been authorized at that particular place because it will fit into this general system, and at the same time give 30 miles of open river, with 6 feet of water in front of three large cities, accommodating the great river commerce of Cincinnati, Covington, and Newport, as well as various other places on the line, and allowing it to be carried on every day of the year.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. BROMWELL. I would like to have my time extended for five minutes longer.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. CLARK. I would like to ask the gentleman a question before he proceeds.

Mr. BROMWELL. Certainly.

Mr. CLARK. Why do you limit your freight trains to 10 cars?

Mr. BROMWELL. Well, I assumed that trains running from Pittsburg to New Orleans would be limited to about that number of cars—that it would not be economy to carry a larger number of cars.

Mr. CLARK. But they do carry 30 or 40 cars, as a rule.

Mr. BROMWELL. That, however, would only change the ratio, assuming that the trains carry four times as many cars. It would only change the ratio so that the rate of the trains leaving every fifteen minutes would be changed to leave every half hour, or three-quarters of an hour, as the case might be.

Mr. McRAE. Will the gentleman allow me to ask a question?

Mr. BROMWELL. Certainly.

Mr. McRAE. I would like to ask if this system of locks and dams on the Ohio River has the hearty approval of the chairman of the Committee on Rivers and Harbors?

Mr. BROMWELL. It is certain that it has; and I wish to say to the gentleman from Arkansas that I look upon the criticisms made on the chairman of the committee because of these appropriations charged to Ohio, on the ground that they are in his own locality, as most unjust and unfounded. The chairman of the committee comes from the northeastern part of the State of Ohio. He is a resident of the city of Cleveland, the great commercial rival of Cincinnati, which is in the southern part of the State, and if it had been his wish or purpose to look out exclusively for his local interests, instead of giving these greater appropriations for the improvement of the Ohio River, which benefit to a great extent the city of Cincinnati and all the other cities along the line of the river, he would have confined the appropriation charged to his State as far as possible to the improvement of the harbor of Cleveland and the other ports of the Great Lakes and would have ignored those on the river. I exonerate him from any charge of selfishness. He has been entirely unselfish in this provision of the bill.

Mr. McRAE. Any suspicion that I have has not grown out of any criticism of him, but from his own statement. I understood from his own speech that he sought to discourage all improvement of rivers by means of locks and dams, and I am glad that this project, at least, has his approval. Now, if he will give us locks and dams for Ouachita River I will guarantee that coal can be put into New Orleans a dollar a ton cheaper than you can put it there down the Ohio, and we only ask for \$3,500,000 to complete this improvement, and it has been denied us.

Mr. BROMWELL. I want to say, further, that the claim that any particular city on the Ohio River gets the sole benefit of one of these improvements is without foundation. The greater part of the commerce of this river is not local, but goes through the Ohio and into the Mississippi. In 1899, of 12,600,000 tons of coal that went down the river, Cincinnati got less than 1,000,000, while Louisville got a million and three-quarters; and the rest of the 13,000,000, or nearly 11,000,000 tons, went on down the river into the Mississippi. The coal that we send in these immense tows down the Ohio and Mississippi furnishes the fuel that runs the factories all through the South, down along the banks of these great rivers. It furnishes the material from which your light is made. It warms your houses. It is a benefit not alone to Ohio nor Cincinnati, not alone in any particular to Covington, Louisville, Madison, Jeffersonville, Evansville, and Paducah, but to every home and fireside and factory along the Ohio Valley and the Mississippi Valley. It decreases the price not only of coal, but of flour, and every other product of the Ohio Valley.

For ten years prior to 1899 the freight rates on flour by railroad from Cincinnati to Pittsburg were 24 cents a barrel, by river 15 to 20 cents. From Cincinnati to Louisville the rate by rail was 15 cents, by river 10 cents; to New Orleans by rail, 49 cents, and by river it was 40 cents. To Memphis it was 40 cents a barrel by rail, while by river it was but 30 cents. You gentlemen of the Mississippi Valley get the benefit of that competition with the railroad rates equally with my city. Therefore I say to you that when you put a lock and dam in the Ohio River that improves its navigation the improvement is not alone for the benefit of the mine owners of West Virginia and of Pennsylvania, nor for the farmers and manufacturers of the Ohio Valley; you are not working alone for the commercial interests of the city which I represent, and of other cities along this river, but you are working equally as much for the benefit of the men, women, and children and of every one of the great commercial enterprises on the Lower Mississippi River and the territory tributary to that great stream.

Mr. WACHTER. Mr. Chairman, Baltimore City has been very modest in her requests to the National Congress of the United States. The time has come when it must ask for assistance, necessitated by the increase of commerce now entering its ports.



Our waterways have become inadequate for the handling of the great volume of business now entering the port of Baltimore, facilities being very cramped, and of necessity we must look forward to new avenues, not only for water space, but wharfage property necessary to conduct and handle the business, which by reason of insufficient wharfage room makes it compulsory for cargoes now to lie for weeks at a time in the warehouses and freight cars of the various railroads prior to being loaded upon vessels waiting to carry the same to the points for which intended.

Baltimore city has ever been alive to the importance of her harbor facilities. As far back as September 27, 1790, the first letter or message of the first mayor of the city submitted to the common council of Baltimore and the board of wardens touched upon this very important topic of dredging, or, as they called it in those days, "scooping out," to better the harbor in order that sufficient depth of water could be obtained to accommodate the ships entering and clearing the port of Baltimore in those days. I have a copy of said letter or message, and it shows that from its earliest incipency Baltimore has taken care, even though in a small way, of its harbor and waterways. With your indulgence I will read the letter:

BALTIMORE, September 27, 1790.

GENTLEMEN OF THE CITY COUNCIL: The cleaning of the harbor of Baltimore is certainly an object of the first magnitude to the city, and the board of wardens were at much pains and great expense in procuring a machine for raising the mud out of the basin, which I verily believe is as well calculated for the purpose as any it is in our power to obtain; but unless we had a place of deposit for the mud or could get it taken from the machine the expense of scows and hands to unload them, with the annual support of the superintendent and horses, is more than the same number of scow loads would cost by scooping; besides, it can be taken up in that way from the wharves and channel with less interruption to the trade of the place than it can possibly be done by the machine, and although I confess it is with great reluctance I can be brought to consent to lay aside this machine, which cost so much money and in which the expectations of the citizens were so great, yet it gives me real pain to find so little can be done for the money expended in its support; and therefore I submit it to the council whether it would not be as well to dispose of the horses now as to keep them over winter, at the present high price of forage, and to strip and lay up the machine, at least for the present.

JAS. CALHOUN.

From this time to the year 1876 there existed in Baltimore a committee or board, known as the board of port wardens, which had immediate control and jurisdiction over the waterways, and after this board went out of existence a harbor board was appointed. The archives and records of the former board of port wardens are not at hand, as they were not turned over to the present harbor board and their disposition is unknown, but we are advised by the president of the harbor board, who is a retired United States engineer officer, formerly connected with the War Department, that the sums expended by the city up to 1876 amounted into the millions, from the fact of the condition in which the waterways were found when he came into the harbor board as its engineer officer. Since that time the record is clear as to the expenditures.

The records show that there has been a total expenditure from the year 1876 to the present time, being money paid to contractors for dredging alone, of the sum of \$1,187,846.85, and a total expenditure, including a supervision and administration of the work, of \$1,598,423. During the same period there was expended by the city of Baltimore for dredging alone in this particular branch of the Patapsco, which forms one-half of the body of water for which this appropriation is asked, the sum of \$248,592.95, which sum is computed from the amounts paid to contractors. Add to this the cost of administration and supervision of the work, and we have an amount considerably greater. If these vast amounts have been expended within the past twenty-four years, it must be conceded that the expenditures for the seventy-seven years previous, when the waterways were first developed, must have been enormous.

It is thus apparent that Baltimore has in the past taken very good care of itself, challenging any city or port in the Union to compare statistics with regard to the expenditure made by such ports and cities, covering a period of years equal to that just mentioned. I am credibly informed that no city in the Union has been so careful as to its home interests nor has displayed the same zeal and self-preservation as has Baltimore in the matter of its waterways. It is said that there are a number of cities in the Union that expend moneys locally for the betterment of harbor facilities, but none that dates back as far as our city, and none shows the total amount of expenditures as does that of the mayor and city council of Baltimore. We therefore come consistently before this body, not asking the National Government to do all, but, as per the figures just quoted, we only ask Congress to donate its share, this being a national waterway, bounded on the north by Baltimore city and on the south and southwest by Anne Arundel and Baltimore counties of the State of Maryland. It is all tide water, and the control of the National Government over every portion of it is undisputed and has never been questioned.

It has always been a subject of conjecture why Baltimore was not in the first instance built upon the harbor now proposed, as the facilities, space, and everything which go to make it the most

desirable location for a city are contiguous to this span of water. This, however, is not materially different from a great many large cities in the Union. It seems that many of our cities have built in the most unhandy sections of the surrounding territory in which they have been laid.

In pursuance of this statement I desire to explain that the Middle Branch of the Patapsco River, more commonly known as Spring Gardens, for which this appropriation is intended, is a great span of the Patapsco River from where it is intersected by the Middle Branch to the point where it is met by the Brewerton Channel. The great advantage of the Middle Branch over the Northwest Branch and the present basin is in the width and area of the stream. The width of the entrance to our present harbor, extending from Fort McHenry, on the southwesternmost side, to the Lazaretto light-house, on the northeasternmost side, is 1,800 feet, while the width of the entrance up the main branch of the Patapsco to the Middle Branch, from Fort McHenry, on the north side of the river, to a point in Anne Arundel County, on the south, is about 5,000 feet, and at its narrowest point, where the Spring Gardens make off, is 4,500 feet.

From this point the Spring Gardens run to the foot of Eutaw street, having an area of water surface of about 400 acres, and from Light street bridge to Fort McHenry there is an area of about 500 acres. The distance from Brewerton channel to the proposed new basin is about 2½ miles; the distance from Fort McHenry to the foot of Light street, or the head of the present harbor, is about 1½ miles. In comparing the proposed with the existing conditions of water space, we find that in length it is 50 per cent longer, and in water area about three times greater. The present depth of water in Spring Gardens between port-warden lines ranges from a minimum of 9 feet to a maximum of 22 feet. The channel through this body of water is about 100 feet on the bottom, with a controlling depth of 15 feet at mean low water at one portion and a little greater at others. Every improvement made here must necessarily benefit Anne Arundel and Baltimore counties in equal proportion with Baltimore city.

There are located along the shores of the old harbor, ship, marble, and lumber yards, fertilizer, licorice, and other factories, and coal piers, which are crowded to such proportions as to cause numbers of steamships not being regular liners to lie out in the stream and to crowd Canton Hollow—which is an anchorage ground of some magnitude—for two, three, and four days before their cargoes can be discharged, this being due to the inadequate wharf facilities now to be had within the old harbor line. Wagons, trucks, and all sorts of freight-carrying vehicles used in the transferring of these cargoes are at present compelled to cover a distance of 6 or 7 miles from where these vessels are unloaded. In cases where goods are shipped to foreign countries the same condition and distance prevails, only that the freight is carried by way of Locust Point to the various wharves where the regular liners receive their cargoes. There, however, is great danger to horses, vehicles, and drivers by reason of being compelled to cross a veritable network of railroad tracks with their freight, where they are continually in danger of life and limb by reason of the shifting of cars and the arrival and departure of freight trains engaged in transferring the great cargoes landed by the liners to the interior and far West of the United States.

As we go farther up the basin or harbor we find the conditions still more cramped, oftentimes two and three steamboats being tied at the one wharf, side by side, being compelled to unload their freight one across the other's deck. Local freights or freights shipped to various parts of the State are mostly shipped by water route, hence the greater part of the inside harbor—in fact, all of the inside harbor—is utilized by steamboats and similar sailing craft, plying between the various points on the Chesapeake Bay and rivers of the State. In oyster season, extending from the 1st of September to the last of April, and during melon and peach season, the inner harbor is completely gorged by the smaller sailing craft and steamboats, so much so that if one stands on Pratt street, which street passes along the northern part of the Light Street Basin, and looks toward the southern side of the basin, the masts and rigging are so close that the scene presented resembles a seine or net.

Light street, which is the western end of the water front of the old harbor, is entirely taken up with passenger and excursion wharves of the various lines running to the various points along the bay and rivers of the State. During business hours, from 10 a. m. to 4 p. m., Light and Pratt streets, the boundaries west and north of the inner harbor, are so completely jammed with wagons and trucks loaded with freight designed for these various steamboat lines that it takes an electric car from fifteen to twenty minutes to traverse a distance of about seven blocks. There is also a special force of policemen necessary for these various localities in order that the lines of wagons and trucks going east and west are kept moving, thereby avoiding a jam, which would undoubtedly be the result were it not for the order and discipline maintained by these policemen.



The train of wagons and trucks, one going east and one going west on Pratt street, and one going north and another south on Light street, reminds one of a worm, so closely are they twisted and hedged in. The fact of excursions leaving Light street wharf during the summer months, when many of our families take a trip down the bay to escape the sweltering heat of the city, is a cause for considerable anxiety to the citizens of Baltimore whose families embrace such opportunities to obtain needed recreation, for they are obliged to cross the streets through this network of wagons in order to reach the steamboats they are to take for this outing. One can imagine the danger to life and limb of crossing a thoroughfare so densely packed with vehicles, and when mothers with three, four, five, or six children are obliged to cross with their little ones the danger is far greater than under ordinary circumstances. To ameliorate this condition and to avoid this danger, steamboat companies which are located in this vicinity are building bridges from their piers over and across this thoroughfare to buildings on the other side specially purchased for this purpose, to better provide for the safety of their passengers. The Baltimore Steam Packet Company has already such a bridge, and I submit herewith a clipping:

[Evening News, Baltimore, December 15, 1900.]

TO BUILD NEW WHARVES—CHESAPEAKE AND ATLANTIC RAILWAY COMPANY WILL MAKE IMPROVEMENTS.

The Baltimore, Chesapeake and Atlantic Railway Company will build a new wharf in place of the wharves known as Nos. 3, 3½, 4, and 4½ Light street, which are now used by the company.

It will have a frontage of nearly 200 feet on Light street, between Pratt and Camden streets, and will be constructed entirely of steel. The wharf will be two stories high and modeled after similar buildings owned by the Pennsylvania Railroad Company, which controls the Baltimore, Chesapeake and Atlantic Line.

On the lower portion of the wharf will be the receiving and delivery department, while the second floor will be divided into offices, with a large reception room for passengers in the center. A bridge will be built from the offices of the company, 32 Light street, to the second story of the wharf, so that passengers will avoid the necessity of passing through the heavy traffic on Light street. The drawings of the improvements, which will cost about \$75,000, were prepared by the American Bridge Company.

The Baltimore, Chesapeake and Atlantic Railway Company, controlled by the Pennsylvania Railroad Company, has given out a contract to build a new steel pier, to cost \$75,000, the chief feature of this pier being also a bridge to convey its passengers safely across this street.

In the event of the dredging of the Spring Gardens Harbor, facilities will be had to relieve this cramped and gorged district; also relieve the overcrowded condition of the steamship wharves; give ample accommodations for the Government inspectors of customs to examine and release freight in order that it might be shipped to the consignees in the interior with greater dispatch; relieve of their cargoes the steamships which are not regular liners, that in ordinary parlance are called "tramp steamships," in order that they may load the outgoing freight on time; relieve the necessity for trucks and freight conveyances from traveling 6 and 7 miles in order to haul the cargoes to and from the wharves and warehouses, and give facilities for the excursion steamboats to receive and land our loved ones, who go and return from their outing, in safety, thereby relieving our community of the anxiety that the present condition of affairs entails.

In order to arrive at a proper estimation as to Baltimore's standing as a port of entry, I desire to submit a statement from the collector of our port which shows the increase during the past nine years and eleven months of tonnage and receipts, and for the number of vessels entering and clearing from various ports, as also of vessels entering and clearing in the coastwise trade. The enormous growth of our export trade, from \$74,421,714 in 1891 to \$107,004,878 in 1900, is indeed marvelous, showing a net gain of \$32,979,164, our custom receipts for the same period amounting to \$29,667,333.78. When you take into consideration that this statement only represents those vessels required under navigation laws to clear and enter at the custom-house, and that the total amount of clearances and receipts would at a conservative estimate be twice as much, is there any other evidence needed that our facilities must be increased to meet this rapidly growing trade? And does it not also demonstrate that if the same facilities used in the handling of our business in 1891 exist at the present time, they must be crowded in the extreme?

To give an idea of the value of the exports leaving the port of Baltimore daily, I beg to submit a clipping from the Baltimore Journal of Commerce of the date of December 15, 1900, in which is contained a list of the larger vessels that have cleared our port in the foreign trade for the first six days of December, 1900, together with an itemized account of the cargo of each vessel and its value. For these six days we find that the total value of the exports amounts to almost a million and a half dollars. I have made no compilation of the value of the cargo of the numerous other smaller craft engaged in this foreign trade, as I do not wish to unnecessarily consume the time of this House, as I deem that the statistics that have been submitted are sufficient to justify our position in this matter.

[Baltimore Journal of Commerce, Baltimore, Saturday, December 15, 1890.]

EXPORTS.

December 1 (add).

London—British steamship Michigan.

Flour	barrels	23,411	Tobacco	tierces	318
Wheat	bushels	31,688	Stools	boxes	8
Corn	do	90,000	Picture frames	do	3
Oats	do	110,000	Fancy moldings	do	2
Middlings	pounds	50,400	Lumber	feet	264,846
Oat meal	do	77,000	Grit	bags	1,750
M. F. grass seed	do	13,290	Hominy	pounds	4,500
Starch	do	1,444,800	White middlings	do	112,000
Grape sugar	do	56,000	Canned pears	dozens	200
Glucose	do	692,160	Hardwood veneers	crates	7
Lard	do	34,000	Copper	pounds	111,978
Hog casings	barrels	10	Hog hair	do	110,335
Casings	do	10	Cattle	head	649
Tobacco	hogsheads	16			

Value, \$351,551.

December 1 (add).

Liverpool—British steamship Qmernmore.

Flour	barrels	5,362	Cotton seed	pounds	439,444
Wheat	bushels	64,000	Rosin	do	424,085
Corn	do	34,287	Carbonite	cases	12
Lumber	feet	410,505	Steel tube	pounds	17
Handles	bundles	70	Tallow	do	28,909
Tubs	do	3	Lard	do	265,075
Tables	racks	4	Bacon	do	281,847
Organs	racks	2	839 packages tobacco	do	676,509
Piano	do	1	Cotton	do	1,426,318
Wooden doors	do	1,296	Bark extract	barrels	25
Furniture stock	cases	46	Cattle	head	736
Steel rounds, bars, plates, angles, beams, etc.	pounds	65,741	Sheep	do	1,615
Wire nails	do	22,624	Chop	pounds	112,000
Iron pipe	do	54,000	Cotton, duck	yards	8,538
Trolley poles	do	59	Hoghead staves	do	4,003
Steel rails	pounds	896,100	Hats, boots, and book, boxes	do	3
Iron	box	1	Clothing	boxes	2
Oil cake	pounds	253,011	Putty	cans	3
Skimmings	do	64,300	Canned tomatoes	dozen	2,000
Glassware	casks	4	Canned pears	do	500

Value, \$309,293.

December 1 (add).

Bremen—British steamship Labuan.

Flour	barrels	321	Tobacco extract	pounds	9,945
Corn	bushels	111,428	Cotton-seed oil	gallons	5,000
Malt sprouts, dried grains, feed, etc.	pounds	1,557,900	Pine lumber	feet	77,665
Clover seed	do	50,057	Tobacco	boxes	10
Virginia tobacco	hds.	57	Paper	pounds	8,614
Virginia tobacco stems, hogsheads	do	147	Whisky	gallons	90,360
			Fish oil	do	7,199
			Tinware	boxes	4

Value, \$206,068.

December 3 (add).

Rotterdam—British steamship Delano.

Flour	barrels	1,694	Cedar logs	do	523
Scrap tin	pounds	171,282	Lumber	pieces	2,072
Rosin	barrels	200	Barrel staves	do	5,400
Virginia stems, hogsheads	do	100	Cases leaf tobacco	do	53
Red oil	barrels	105	Organs	do	6
Cotton-seed oil	do	1,055	Starch	pounds	176,600
Dried apples	pounds	96,518	Oak plank and boards	ft.	32,746
Furniture stock	cu. ft.	1,540	Copper	pounds	81,575
Oil cake	pounds	1,917,098	Slabs, spelter dross	do	444

Value, \$107,907.

December 4 (add).

Dublin—British steamship St. Giles.

Flour	barrels	22,737	Household goods	boxes	6
Meal	pounds	112,000	Turkeys, alive	crates	2
Oatmeal	do	245,000	Roofing slate	pieces	21,316
Rolled oats	do	157,920	Steel	pounds	37,831
Oil cake	do	454,657	Hardware	cases	15
Quaker oats	do	32,200	Brooms	do	12
Vegetable	do	14,880	Clothes bars	boxes	10
Oleo	do	89,783	Forks	cases	6
Oleomargarine	do	1,460	Rims and hubs	bundles	20
Lumber	feet	62,295	Spokes	cases	2
Corrugated paper	pounds	14,950	Churns	crates	18
4 boxes fruit	do	250	Tubs and pails	packages	10
Picture frames	boxes	2			

Value, \$104,865.

Cardiff, Wales—per same.

Grape sugar	pounds	112,000	Doors	do	1,624
Oak lumber	feet	13,549	Tomatoes	cases	2,000

Value, \$11,051.

December 6 (add).

Rotterdam—British steamship Venango.

Flour	barrels	817	Organs	do	10
Corn	bushels	42,857	Starch	pounds	25,300
Lard	pounds	1,010,274	Corn oil	barrels	140
Oleo	do	821,353	Virginia tobacco	hds.	34
Sausage casings	do	73,916	Virginia stems	do	100
Bladders	do	3,800	Maryland tobacco	do	63
40 tierces meat	do	18,600	Pitching machine	boxes	3
Tallow	do	14,963	Elm lumber	bundles	629
Fat backs	do	15,064	Staves	do	8,400
Beef guts	do	13,750	Iron pans	boxes	2
25 barrels pork	do	4,000	Cotton duck	yards	2,010
Hog bungs	do	11,800	Oak lumber	feet	18,036
25 boxes S. P. meat	do	14,711	Gas stoves	boxes	12
Bladders	do	300	Oak lumber	pieces	2,309
50 boxes dry salt meat, pounds	do	30,901	Copper	pounds	448,074
50 boxes dry salt backs, pounds	do	28,669			

Value, \$235,110.



When it is considered that our receipts in 1891 were \$74,421,714 and at present \$107,004,878, as a business proposition is there any gentleman upon the floor of this House who has the remotest idea of business and the application of business principles who will not concede that under existing circumstances we can not handle the business without the facilities for so doing? It seems to me, as a business man, that a business concern which will not meet the requirements by way of providing the necessary facilities for handling its increased business is a very unwise business institution and lacks proper business methods. I am simply asking the Government, which is a business institution, to provide the great port of Baltimore with proper facilities for handling its increased exports and imports. I have demonstrated by facts and figures that the city of Baltimore has materially aided the United States Government in providing facilities for handling its business. We have spent, as the records show, nearly \$250,000 upon this very project, an appropriation for which is now contained in the river and harbor bill under discussion. The amount of money shown to have been expended dates back only to 1876, and, as I have heretofore stated, the amount spent prior to this period must have been enormous.

I am here to ask the Government to give us part of a loaf. We have furnished the greater portion of it, and when this channel is dug and its turning basin completed the city of Baltimore and the abutting property owners will dig out to the channel and basin. When this is done I prophesy within a very short space of time that Baltimore city will show the country as fine a harbor as there is in the United States. There is sufficient space in this body of water to house almost the entire United States Navy, and dotted along the banks of this river and in close proximity thereto are all sorts of manufactories and industries that are waiting for this improvement, which will give a new impetus to their business and afford the opportunity of developing other land now lying idle because of lack of deep water. Baltimore is one of the second cities in importance as a port of entry on the Atlantic coast, having during the past fiscal year entered from foreign ports 911 vessels and in the coastwise trade 1,544 vessels; having cleared from its port to foreign ports 925 vessels, and in the coastwise trade 2,253 vessels; duties and tonnage taxes received during the past year amounting to \$2,786,621.08, with the aggregate receipts amounting to \$2,849,565.53, figures taken from the report of the Secretary of the Treasury for the fiscal year just ended.

The figures upon which the appropriation has been based have been entirely made up and suggested by the engineer officers of the United States Army. There has been no excess over and above their recommendation asked. The project has the indorsement of all the leading commercial bodies of the city of Baltimore. The Board of Trade, Merchants and Manufacturers' Association, and Chamber of Commerce, which are the direct representatives of the shipping and commercial interests of Baltimore, are deeply interested, and are urging from day to day the necessity of this great relief. Citizens of our great city, who are acquainted with the conditions as they exist around our harbor fronts, are also deeply interested, and have been for years since this condition has prevailed. We feel that we have outgrown our swaddling clothes as a seaport city. We have been slow, I admit, but the slowness we are guilty of has been to ask Congress for the relief we are now praying at its hands.

It is rarely the case that Baltimore comes before this great legislative body for pecuniary assistance. We have been modest in the past; we are modest now; we are but asking for what we actually need, and for that which the Government requires at our port, and, to prove our true sincerity and honesty in what we ask, we have shown that we have expended within the past twenty-four years nearly \$250,000 on the very project for which this appropriation is asked—more than, I can safely say, any city in the Union has done for itself. I trust, therefore, coming, as we do, for a great necessity, that this House, in its wisdom, will recognize our position and the justice of our request, and grant the appropriation so kindly recommended by the River and Harbor Committee of the House, which, while not being the whole of the amount asked, will, with economy and judicial expenditure, aid in relieving the present congestion of our shipping facilities and waterways.

Mr. DENNY. Mr. Chairman, whatever may be the force of the objections made against the river and harbor bill under consideration by some of the gentlemen, who claim that inland rivers and waterways are local in character and do not contribute substantially to the general commerce, either between the States or in the country at large, such objections can not apply to the great harbors on the Atlantic coast, into which the ships of the world enter and carry our commerce to the ends of the world. Baltimore, created a port of entry by the First Congress, has one of those great harbors to the improvement and maintenance of which by the Government, for the benefit of the nation's commerce, none of the objections of those who have spoken against the bill can possibly apply; and it must be conceded that, whatever policy may be pursued in reference to locks and dams on

ivers or respecting the irrigation of arid lands, the fact remains unquestioned that the great ports of this country ought to receive the highest consideration at the hands of this House in every bill reported to it by the Rivers and Harbors Committee.

I have read the bill now reported by the committee with care, and I am not dissatisfied with the provisions made for the waters of Maryland and the harbor of Baltimore; but the principal object of my remarks at this time will be to call the attention of the Committee on Rivers and Harbors and also this House to the advancing requirements of the harbor of Baltimore, which city in part I represent; and in consequence of the tendency at the present time to increase the size and draft of ocean steamships I beg to suggest that it is essential for the commerce of Baltimore that the depth of her main ship channel from deep water in the Chesapeake to the port of Baltimore, ordinarily known as the Brewerton and Craighill channels, shall be made sufficiently deep for the easy and safe passage of the great ships now carrying our commerce to foreign ports.

I would have the steamship lines of the world know, through every foreign consul and minister representing our country abroad and otherwise, that Baltimore Harbor, situated at the head waters of the Chesapeake Bay—the largest and most beautiful water indentation on the Atlantic coast—is abreast of the times in providing an ample waterway to the sea, and that Baltimore will continue to see to it that the Government, in its fairness to all parts, will give the same facilities to commerce to reach our port as it extends to others on the Atlantic coast.

Mr. Chairman, a gentleman has spoken in this discussion of the desirability of having a uniform depth to our harbors, and thereby to require the commerce of the seas to be carried in vessels built of a corresponding draft, so that the vessels would conform to our harbors, and not our harbors to the advancing draft of vessels. This, it seems, is not possible. We can not regulate the steamship lines of the world as to their capacity or draft.

The time of the clipper ships of our own city has passed away. They were once the pride of the sea. The demand for them has stopped, and in a few years much greater harbor accommodations and ship channels will be required to meet the demands of the keels of the ships now being laid—the leviathans of the sea which, by the aid of electric and other appliances, may be used within a few brief years. As the production of steamships increase in size and draft from year to year, we must provide sufficient depth of water for them or we must be deprived of their commerce; otherwise they will be compelled to carry their burdens of wealth where facilities are provided for them.

Therefore I say to the Committee on Rivers and Harbors that at the next Congress, when our present ship channel, which will be completed throughout its length and breadth during the present year of 1901 to a depth of 30 feet, with a breadth of 600 feet, it will become necessary to provide for a ship channel 35 feet deep to the harbor of Baltimore. Baltimore's commerce is advancing with marked rapidity. The increase in duties collected in 1900 was \$748,772 over the previous year. Her exports in this year, according to the report of the Secretary of the Treasury, were \$115,432,169, regardless of a large coastwise commerce of advancing greatness. Our imports in the year 1900 were \$19,042,981. One hundred years ago the population was 31,514; to-day, according to the recent census reports, her population is 508,957.

The gentleman from Iowa spoke of Baltimore in connection with the Star-Spangled Banner, as if that constituted one of the considerations for liberal appropriations. We admit there is quite a little pride on the part of our citizens in referring to the period in our history when Maryland soldiers protected that emblem of the land of the free and the home of the brave. We love to associate George Washington with our ancient capitol at Annapolis after our liberties were secured. We admit that we once had a little tea party in our own State, when our citizens burned the ship *Peggy Stuart*. We have a patriotic pride in our history and in the bravery and honor of our people. Maryland is prominent in every chapter of American history. Our university, medical and law schools, our great daily newspapers, are second to none in the land. We have just pride in her achievements in war and in peace. But great as is our city in its educational and industrial advantages, these do not constitute the reasons why the port of Baltimore and the tributaries to the Chesapeake should receive liberal consideration.

We claim to be, and we are, a great commercial metropolis, as well as an educational and industrial center of commanding prominence. The enterprise of our merchants and our past commercial history justify the belief we have in our future advance in every way. We built the first vessel in the Revolutionary war, and last year built fifteen vessels at Steelton in our harbor, at which we manufacture and from which we ship steel rails to Europe and compete with others in a foreign market. We built the first railroad in the United States in 1827. We built, in 1813, the first steamboat in the United States, and granted James Rumsey, in 1784, the exclusive right to make and vend boats to be propelled by steam "with or against the current." We have the



largest oyster industries in the world, and the products of our waters and our fertile soil have caused Baltimore to be known, by some at least, as the gastronomic center of the world.

We built the first telegraph in the United States in 1844. We were the first city to be lit by gas, in 1816. We were the first to apply electric power in drawing trains of cars on railroad lines. We have the largest piers (at Curtis Bay) in the country, and the Baltimore and Ohio Railroad, at a cost of over \$1,000,000, are about to build five or six more of gigantic size, where the millions of tons of coal coming from the western part of our State can be furnished to the steamers from adjoining cities as well as from abroad. We had 925 foreign vessels to clear from our port during the year. We are 200 miles nearer the South and West than New York, and our elevators receive their wheat, corn, and other products, and pour them into the holds of the steamers without delay, which regularly clear from our port to European and South American ports.

The steamship *Michigan*, of the Atlantic Transport Line, recently left our port carrying 8,000 tons of general merchandise and 3,500 quarters of beef in its refrigerator department, and drawing 28½ feet of water. We have our great railroads reaching into every part of the West, and bearing to our port the rich products of the farms and factories for shipment abroad. Cheap and rapid railroad transportation has contributed to the upbuilding of our city as a commercial metropolis more than any other factor. Therefore, why should not the great ship channel leading to the port of Baltimore from the deep waters of the Chesapeake be deepened and widened to anticipate the advancing march of the world's commerce in vessels the size and depth of which, under electric or steam appliances of great power, we may not now even conjecture.

In 1896 the Chief of Engineers reported favorably to Congress concerning the improvement to the harbor of southwest Baltimore, and the bill now reported in this House, it is hoped, will pass, and that the House will ratify the action of the Committee on Rivers and Harbors in granting the appropriation of \$231,000 for the improvement of southwest Baltimore Harbor, to be expended under a continuing contract, for the benefit of that new enterprise, which will give additional and much-needed harbor facilities to that section. Baltimore, at her own cost, has contributed in the deepening of her harbor, and has expended large sums in dredging the same for the benefit of her trade. She has several powerful ice boats, and keeps her harbor open in the coldest seasons at her own cost. The duties collected by the Government in 1900 at the custom-house in Baltimore amounted to \$2,849,565. There arrived at this port during the year 27,565 immigrants. The tide in the harbor is about 18 inches, and vessels drawing from 30 to 31 feet are required, in order to get through the main ship channel, to move slowly at high tide. The marvelous growth of our city in wealth and in all branches of industry is not in excess of our growth as a commercial metropolis. It is not the number of our battle ships, but ships engaged in trade—the ships that carry on the peaceful exchange of commodities—that bring wealth to the nation.

We propose to be active competitors with our sister cities on the Atlantic coast for the commerce which, by virtue of the intelligence and integrity of our merchants and manufacturers, and also by virtue of our geographical position, would fairly come to us if we are supplied with the same facilities of a deep and commodious ship channel to the sea. It pays the Government in its increase of customs duties to provide it.

It pays all the people, the railroads and great industrial corporations, to have it. It pays the laboring man by enlarged opportunities for employment. In short, the liberal policy of enlarging the channels to the sea and inviting the commerce of the world to commodious harbors is clearly the wise policy to pursue, and which, it is hoped, will be pursued toward the port of Baltimore by the passage of a bill to deepen the harbor to 35 feet.

As I have said, Baltimore has been fairly dealt with. The appropriation of \$1,000,000 by the act of March 3, 1899, was made for the purpose of giving a ship channel 30 feet deep and 600 feet wide, which will be completed during this year. The depth has been obtained, but not the width as yet; but by the time the work in progress has been completed, which will be during the present year, the time will have arrived when our necessities as a port will require a mean low-water depth of 35 feet. Time and safety are factors in our commerce; and if vessels can not load to their full capacity in consequence of the want of depth in the main ship channel, if they are required to take advantage of the tide in order to get out of port with safety, then conditions exist which require prompt remedy in order to retain the trade which would otherwise be diverted to other and better ports.

It is the duty of Congress, therefore, to authorize the Secretary of War to cause a survey to be made of the main ship channel leading to the harbor of Baltimore as soon as possible, and to ascertain its commercial importance, present and prospective, which I have endeavored very briefly to show, and to report

through the Chief of Engineers the cost and nature of the work to be undertaken to accomplish the depth proposed. Why should there be any delay in requiring the official information on which this House acts, through the Rivers and Harbors Committee, whose attention is very respectfully and earnestly called to the desirability of this very worthy improvement, not only in the interest of the city of Baltimore, but in the interest of the large expanse of our common country whose products are shipped from this port and whose imports are received through the same channels? Let an amendment be added by the committee to the present bill to authorize the preliminary inquiry in order that the work may be authorized and the appropriation made before the increasing drafts of vessels shall exceed the capacity of the main ship channel to the harbor of Baltimore.

The Clerk read as follows:

Improving Ohio River: Continuing improvement at Cullums Ripple, below Cincinnati, Ohio, in accordance with the report submitted in House Document No. 265, Fifty-fifth Congress, third session, \$100,000: *Provided*, That a contract or contracts may be entered into by the Secretary of War for such materials and work as may be necessary to complete the said lock and dam, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate \$950,000, exclusive of the amount herein appropriated.

Mr. BROMWELL. I suggest the same amendment as heretofore made, that after the word "at," page 63, the words "or near" be inserted.

The CHAIRMAN. Without objection, the amendment will be adopted.

There was no objection.

The Clerk read as follows:

Improving St. Josephs River, Michigan: For maintenance, \$700.

Mr. BURTON. That ought to be "St. Joseph" instead of "St. Josephs." I ask to strike out the letter "s."

The CHAIRMAN. Without objection, the amendment will be agreed to.

There was no objection.

The Clerk read as follows:

Improving the Mississippi River from the mouth of the Ohio River to St. Paul, Minn.: Continuing improvement, \$1,300,000: *Provided*, That on and after the passage of this act additional contracts may be entered into by the Secretary of War for such materials and work as may be necessary to carry on continuously the systematic improvement of the Mississippi River between the points mentioned, or the said materials may be purchased and work may be done otherwise than by contract, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate \$2,600,000: *And provided further*, That of the amount herein appropriated, \$606,667 shall be expended from the mouth of the Ohio to the mouth of the Missouri River, and \$693,333 from the mouth of the Missouri River to St. Paul, and the amounts for which additional contracts are authorized to be entered into shall be expended in like proportion. Of the amount herein appropriated for the improvement of said river between the mouth of the Missouri River and St. Paul, the Secretary of War is hereby authorized, if, in his judgment, the same is required in the interests of navigation, to expend the following amounts, to wit, \$15,000, or so much thereof as may be necessary, in removing the bar at the mouth of Hamburg Bay, and dredging said bay; \$15,000, or so much thereof as may be necessary, for dredging the channel at Quincy Bay, at Quincy, Ill.; \$10,000, or so much thereof as may be necessary, for removing the sand bar in front of the steamboat landing at Quincy, Ill.; \$30,000 for the maintenance, repair, and riprapping of the natural and artificial banks along the eastern shore of the Mississippi River from Warsaw, Ill., to Quincy, Ill.; \$20,000, or so much thereof as may be necessary, for dredging the channel and removing sand bars at Hannibal, Mo.; \$50,000, or so much thereof as may be necessary, to protect the bank of the Mississippi River from caving opposite the mouth of the Missouri River; \$14,000 for the construction of a harbor of refuge on the east shore of Lake Pepin, in the Mississippi River, according to the project reported October 27, 1899; and \$1,500 for removing the bar in the Mississippi River at the mouth of Fountain City Bay at the foot of North street, Fountain City, Wis.; and he shall cause a survey to be made on the east bank of the Mississippi River, commencing at the city of Quincy and running along the east bank of the Mississippi River to Sny Levee, with a view to improving navigation by preventing the water from overflowing the natural and artificial banks along that part of the river and deepening the channel. The \$10,000 heretofore appropriated by the sundry civil act of March 3, 1899, for the improvement of the Mississippi River at Davenport, Iowa, shall be applied for the construction of a harbor of refuge from ice at a point at or below the said city of Davenport: *Provided*, That such harbor can be constructed for not more than the \$10,000 heretofore appropriated.

Mr. MONDELL. Mr. Chairman, I offer an amendment which I send to the Clerk's desk.

The CHAIRMAN. The gentleman from Wyoming offers an amendment which will be reported by the Clerk.

The Clerk read as follows:

After the word "River," in line 9, page 70, insert:

"Reservoirs at the head waters of the Missouri River: For construction along Piney Creek, Wyoming, of three reservoirs for the purpose of holding back the flood waters of said stream with a view of minimizing the formation of bars and shoals and other flood-formed obstructions to navigation, and to aid in the maintenance of an increased depth and uniform flow of water for navigation during the dry season; in the Missouri River, in accordance with the recommendation submitted in House Document No. 141, Fifty-fifth Congress, second session, \$50,000: *Provided*, That the Secretary of War may enter into a contract or contracts for such work and materials as may be necessary for the completion of such reservoirs, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate \$165,000, exclusive of the amount herein appropriated."

Mr. BURTON. Mr. Chairman, a point of order, that that amendment is not germane to this bill, and the further point that jurisdiction of the subject does not pertain to the Committee on Rivers and Harbors. I desire to have that question raised at the very outset.



Mr. MONDELL. I believe the amendment is not subject to a point of order. The rules provide that all proposed legislation relating to the improvement of rivers and harbors shall be referred to and be within the jurisdiction of the Committee on Rivers and Harbors. Mr. Chairman, the River and Harbor Committee has in the past taken jurisdiction of items of this character, beginning with the river and harbor bill of 1888, in which there is an item for construction of reservoirs at the head waters of the Mississippi River, and items of this character are also included in the river and harbor acts of 1881, 1882, 1884, 1886, 1888, 1890, 1892, 1894, and 1896. The very bill before us contains a provision for the construction of a storage reservoir at the head waters of the Mississippi River, as follows:

Line 10, page 70:  
"Reservoirs at the head waters of the Mississippi River: Continuing improvement, \$300,000."

Mr. Chairman, the House has thus recognized on many occasions in time past that items for the construction of storage reservoirs were germane to a river and harbor appropriation bill. I wish to call the attention of the House to the fact that the item I propose is an item in the interest of and for the improvement of navigation. The item provides for the storage of the waters at the head of the Missouri River in the same manner in which Congress in the past has provided for the storage of waters at the head of the Mississippi River. It provides for this storage for the purpose of minimizing the formation of bars and shoals by the action of floods, and for maintaining in the Missouri River a greater depth and a uniform flow of water for the purposes of navigation. Mr. Chairman, I can not conceive of an item that is more thoroughly germane to a river and harbor bill than this. The gentleman may raise the objection that the interest of navigation will be served to but an inconsiderable extent. That is a question for the House to decide by vote and does not pertain to the point of order. I reserve the remainder of my time.

Mr. BURTON. Mr. Chairman, very briefly I will say that the jurisdiction of the different committees of this House should be just as simple and closely defined as the jurisdiction of the different bureaus of the Government, otherwise confusion will exist in legislation. Subjects will be considered by committees without any special knowledge of the subject, and the result will be favoritism. Now, then, concede that the Committee on Rivers and Harbors has jurisdiction of the improvements on rivers and harbors.

That is the provision in clause 8 of Rule XI. It is not the improvement in rivers alone, nor improvements of harbors, but the improvement of rivers and harbors. The other provision authorizes this committee to have preference whenever it brings in a general appropriation bill. Leaving out the section of the rule pertaining to the subject, as well as from the invariable custom of this House, it is perfectly clear that the subjects that have been given to the Committee on Rivers and Harbors are those pertaining to improvement of navigation.

The line may not be drawn with the most exact strictness as to the benefit. There are some improvements where the committee have assumed jurisdiction, it can not be questioned, when there would be room for exercise of a fair degree of discretion in accordance with the spirit of the rule with the consent of the House. But now, what is this proposition? And I pause for a moment to answer the argument of the gentleman from Wyoming, that in 1881 and 1882 and other years there were items for the preservation of reservoirs in this bill.

I have not examined all those provisions; but it is evident that they are of two classes. First, reservoirs which do have something to do with navigation, where there was a fancied, at least, direct benefit to be conferred on navigation. It may have been fanciful, but that was the truth of these reservoirs at the head waters of the Mississippi. It was confidently argued to the House that that would raise the level of the Mississippi River several inches.

The other class is made up of those added by amendments in the Senate; and the latter ones, particularly those of 1896, will be found to be this class. The question was not sharply raised and did not lead to a clash between the two Houses until the consideration of the bill that became law March 3, 1899, when the House passed a bill excluding any provision for irrigation by reservoirs or any other means. The Senate added this provision.

The House conferees stood out for the provision of the House bill, thinking that the time had come when this question ought to be raised and decided, even if raised at the eleventh hour of a short session. Even then it was not finally decided until 2 o'clock in the morning of the 4th of March, 1899.

But this provision read at the desk, whatever may be true of the others, calling attention to the fact of some of them being added in the Senate, clearly had nothing to do with that. This contemplates reservoirs in a place 9,000 feet above the level of the sea and 5,000 feet above any navigation of any kind, the nearest point where there is any considerable navigation being as

much as 3,000 miles away. It is a violent supposition to say that it is possible—

The CHAIRMAN. Will the gentleman from Ohio permit an interruption by the Chair?

Mr. BURTON. Certainly.

The CHAIRMAN. The remarks of the gentleman now relate to the merits of the amendment. Taking the amendment as read at the desk, the Chair would like to have the gentleman from Ohio examine it and see whether his remarks would have any bearing upon the point of order. The question before the Chair is whether the amendment is germane.

Mr. BURTON. We can not separate the merits when the propositions have no distinct connection. That is not a question on the merits; it is a question on the propriety of its being presented here, a question whether it is germane to the bill.

There is this question that arises in regard to this. Can you draw an amendment by inserting provisions in regard to navigation which are contrary to the facts known to the committee having it in charge, and thereby give that amendment standing, so it may come in on a bill of this kind? It is true, it is stated here, that it is—

For the purpose of holding back the flood waters of said stream with a view of minimizing the formation of bars and shoals and other flood-formed obstructions to navigation, and to aid in the maintenance of an increased depth and uniform flow of water for navigation during the dry season.

Mr. SHAFROTH. Does not the gentleman recognize in irrigation that the turning of waters into a stream during the dry season and for a number of years produces a seepage and makes the continual flow of water during the dry season when the river is the lowest, and would it not have a tendency to increase the height of the river and aid navigation?

Mr. BURTON. Very remote.

Mr. SHAFROTH. The gentleman says very remote; but in that very statement does he not admit that it does do it to some extent; and if it does it to any extent is it not germane, and is not that for Congress to determine how remote it is, instead of whether it should be excluded on a point of order as not germane?

Mr. BURTON. Does the gentleman from Colorado hold that because a provision was inserted in a bill to the effect that it was to have a bearing on the collection of revenue when it did, as every man knew, have no bearing on that subject, and was merely put in to give that committee jurisdiction, would the gentleman maintain that that assertion gave the committee jurisdiction?

Mr. SHAFROTH. No; but the gentleman admits that this has a remote bearing, and the people of the West know by reason of land being saturated for years that there is a constant flow into the river, and it thus aids and assists navigation. It is true it might not raise the Missouri River 1 foot, or even 4 inches, but it would do something toward it, and whenever it comes to a question of how much it is aiding or how much it will assist navigation, it then does not become a question of invoking the rule or invoking a point of order, but it becomes a question for the House to determine as to whether or not it is a proper expenditure, as is any other appropriation.

Mr. BURTON. How many thousands of years, may I ask the gentleman, does he think it would require for that process to aid navigation so as to be perceptible?

Mr. SHAFROTH. It would depend entirely upon the number of reservoirs constructed. Of course, if you construct only one, it would be a very long while. If you constructed a great number, it would not take a great many years for the ground to become saturated, three or four years, so that seepage goes on.

In my country, wherever you have reservoirs and the land is irrigated from the ditches, you will have inside of two years streams where every drop of water has been taken out, as large as the stream was originally, on account of this seepage. Now, if that was to take place from a large number of reservoirs it might assist materially in navigation.

Mr. BURTON. I will say that the only possible doubt that can be thrown on this question is due to the phraseology of this amendment. I have no hesitancy in saying that this committee, with its acquaintance with this matter of reservoirs and arid lands, did not and could not have jurisdiction in regard to it.

How far you can go out of the actual jurisdiction I do not intend to say; but it seems to me a very violent proposition to say that by loading an amendment providing for reservoirs for arid lands 9,000 feet above the sea and 3,000 miles away from any navigation, by loading it, I say, with some talk about navigation, some reference to flood waters, or something of that kind, that you can say that a committee should have charge of it that ought not to have anything to do with it, that has a different branch, a different supervision, and controls subjects every way different.

Mr. NEWLANDS. Mr. Chairman, the gentleman from Ohio has discussed two questions, one the point of order and the other—a question not before the House—as to the advisability of the expenditure of this amendment. First, as to the point of order The rules of this House give to the Committee on Rivers and



Harbors jurisdiction over questions relating to the improvement of rivers. Is this an improvement of a river? The reservoir constructed along the side of a river for the purpose of storing flood waters of that river and letting them out gradually, so as to maintain an equal and constant flow of the river, is undoubtedly an improvement of the river.

Now, the gentleman, in reply to a question put by me the other day as to whether or not the Committee on Rivers and Harbors had considered or was willing to consider the measures relating to improvements of rivers that affected both navigation and irrigation, replied that it had refused to exercise jurisdiction of that question. I asked him whether he relied on the rule of the House for its determination, and his answer was he relied upon the rule of the committee, and the question is whether the rule of the committee can overrule the determination of the House as contained in its rules.

There is nothing in this amendment that indicates that this water is to be used for irrigation. This water is to be stored at the head waters of the Missouri River, just as provision is made in this bill for storage of waters on the Mississippi River, and such will really promote navigation.

The CHAIRMAN. The Chair will say to the gentleman from Nevada that unless there is something further to be added by the gentleman in charge of the bill the Chair is ready to rule on the point of order. The Chair holds that as the amendment is framed it is germane to the subject-matter of the bill and the subject-matter over which the River and Harbor Committee has jurisdiction. Now, whether that correctly presents the facts of the case is to be determined on the merits. But as the amendment is presented and read by the Clerk it appears to the Chair that it is entirely proper and germane to the bill, and therefore the Chair will overrule the point of order.

Mr. MONDELL. Mr. Chairman, the amendment which I have offered provides for the construction of three storage reservoirs at the head waters of one of the tributaries of the great Missouri River. The site has been surveyed under a provision contained in the river and harbor bill of June 3, 1896, by an officer of the United States Government, and was voluminously reported upon by him and most favorably.

These reservoirs are now lakes. The damming of the outlets of each of these lakes a few feet will result in the storage of a vast quantity of water; and of all of the storage reservoirs examined by Captain Chittenden, he regarded and reported upon these as the most favorable. The cost, compared with the amount of water impounded, is very low, and the benefit to navigation will be considerable.

I know the chairman of the Committee on Rivers and Harbors wishes to be fair, and I know, therefore, that he will want to have me correct him in regard to the location of these reservoirs. They are not 3,000 miles from the head of navigation, as has been asserted, but they are much less than that number of hundreds of miles from the navigation of the Missouri River. Instead of their being located 9,000 feet above the sea level, the lowest of them is less than about 4,000 feet.

But, Mr. Chairman, the distance above the sea level has no effect whatever upon the flood of these rivers except to increase it, or the necessity of the improvement which is suggested by the amendment.

Mr. BURTON. Let me ask the gentleman a question as to where he considers navigation begins within two or three hundred miles of this point.

Mr. MONDELL. Why, about the mouth of the Yellowstone.

Mr. BURTON. The navigation there is so exceedingly trivial that, in the phraseology of the committee room, they do not consider it at all; but as a matter of fact it begins some three or four hundred miles below that point.

Mr. MONDELL. Why, Mr. Chairman, there has been navigation on that river at that point for the last forty years. One of the most glorious campaigns ever fought in American history—the troops who fought there and offered their lives for their country sailed by steamboat or other craft up that river.

Mr. BURTON. The gentleman knows that the whole amount is not greater in a year than one large boat load.

Mr. MONDELL. Well, I am not discussing the quantity of the commerce on the river—I mean on the Upper Missouri River at this time—I am only discussing a mode of promoting the increase of the commerce of the entire river. If we were to discuss all the items of the bill with relation to the quantity of commerce carried over the waters for which appropriations have been made in the bill, I fear that on the same principle to which the chairman objects to this provision there would be a very great many items omitted from the bill.

We have been appropriating millions upon millions of dollars for the improvement of the Missouri and the Mississippi rivers. Fifty-two million dollars in the last twenty years has been appropriated in this way, and \$11,900,000 are contained in the pending bill for the continuation of the work. And still the gentleman, who is, perhaps, better posted with regard to the results of these

appropriations than any other man in the House excepting the chairman of the Committee on Rivers and Harbors—I mean the gentleman from Mississippi [Mr. CATCHINGS]—admitted on the floor of the House the other day that this vast expenditure which has been made has not to any great extent aided navigation on the river. The greater portion of this expenditure was not directly for the purpose of aiding navigation, but, as the gentleman from Mississippi himself admitted, it was to protect the low lands from inundation.

Now, we expect that this Congress will continue to appropriate for the Lower Mississippi—we are not opposing that—but at the same time that it should begin the inauguration of a logical, scientific method for the prevention of flood destruction on these streams and to maintain a uniform depth of water for the navigation throughout the entire season. We insist that the storage of flood waters in reservoirs is the only practical and the only safe and certain method of preventing flood destruction and maintaining a continuous and even depth of water for the navigation throughout the entire season.

Mr. SHAFROTH. Mr. Chairman, I am not here for the purpose of urging that the construction of any one reservoir is going to materially affect the navigation of the waters below on this great river, nor will it, to any great extent, prevent the rise in the river during the flood season, when havoc and disaster are the result of the overflow of the waters. But in connection with the work which has been suggested, I, like the other Western members, am for the improvement, as far as possible, of these streams for the benefit of the entire Western country and for the protection of our lands from overflow. And it seems to me that, inasmuch as the committee evidently has jurisdiction in the matter, no matter to what extent it may aid navigation, it is quite important that the members should take into consideration the other important benefits that are to be derived from the adoption of such measures as that proposed in the pending amendment.

Mr. Chairman, the Western members upon this floor have come to the realization that so far as the land laws of the United States are concerned, improvement in agriculture in our States must absolutely cease unless we can get reservoirs constructed. There was a time when the farmer could dig a ditch and bring water upon his own land, thereby becoming independent as a farmer; but throughout the entire West that day has passed, because the waters in the streams that run in the summer months have long since been exhausted. The result is that no new homes can be added, no new lands can be irrigated, no new lands can be reclaimed, unless there is some provision made for the reclamation thereof by means of reservoirs. We have come to the point where agricultural development in those States must absolutely cease unless we get some relief, and some legislation of the character proposed by the gentleman from Wyoming [Mr. MONDELL].

Mr. Chairman, it is needless for me to tell the members of this House that, although we have a domain out there that is called the Great American Desert, and although when a person travels over it and sees the great stretch of desolate country he gets the impression that it is truly a desert, yet whenever water is once applied to that land it becomes the most fertile land in the entire world. It is not unusual in irrigated districts for large areas to yield from 50 to 60 bushels of wheat to the acre.

Mr. OVERSTREET. Will the gentleman yield for a question?

Mr. SHAFROTH. Yes.

Mr. OVERSTREET. What per cent of the land of the United States is so-called arid land?

Mr. SHAFROTH. About 600,000,000 acres, one-third of the total area of the United States, is arid land, upon which ordinary crops can not be raised without irrigation. The Geological Survey has estimated that sufficient water falls in the mountains of the Western States to irrigate 74,000,000 acres of that land. Consequently—

Mr. BURTON. Will the gentleman yield to me for a brief question?

Mr. SHAFROTH. Yes.

Mr. BURTON. Is it not true that a very large share of the acreage of these arid lands is part of the alternate sections given under land grants to railroad companies?

Mr. SHAFROTH. Some of it is, but not usually following the streams. The Union Pacific, which starts out from Omaha and goes through Wyoming, does not attempt to follow a stream. Neither does the Union Pacific, the old Kansas Pacific, which obtained a land grant, follow a stream. It goes across the plains, and it is not likely that any of that land will be reclaimed by any reservoir that may be constructed.

Mr. BURTON. What share of these arid lands belongs to railway companies under land grants?

Mr. SHAFROTH. Oh, I suppose about one one-hundredth; not more than that.

Mr. BURTON. Does the gentleman not think more than that?

Mr. SHAFROTH. No; I think not more than one one-hundredth.



Mr. KING. In the State of Utah the railroad company has disposed of nearly all of its land grants to private individuals. It owns but a very small part.

Mr. SHAFROTH. Now, Mr. Chairman, I want to impress upon the members of this House this fact: When we have referred a bill concerning the irrigation of these arid lands to a committee such as the Committee on Irrigation of Arid Lands or the Committee on the Public Lands, we can not get a hearing before the House upon it.

Mr. SNODGRASS. Will the gentleman yield?

Mr. SHAFROTH. Yes.

Mr. SNODGRASS. Do you consider the improvement of the arid lands analogous to the improvement of the rivers of the country?

Mr. SHAFROTH. Not entirely.

Mr. SNODGRASS. What is the immediate public utility to be derived from the irrigating of these lands?

Mr. SHAFROTH. The immediate benefit to be derived is the adding to the wealth of the nation and finding homes for the people.

The CHAIRMAN. The time of the gentleman from Colorado has expired.

Mr. SHAFROTH. Mr. Chairman, I ask for five or ten minutes more. I have not occupied much time.

Mr. BURTON. Cannot the gentleman conclude in five minutes?

Mr. SHAFROTH. I think I can, unless I am interrupted.

The CHAIRMAN. Is there objection to the request that the gentleman's time be extended five minutes?

There was no objection.

Mr. SNODGRASS. When rivers are improved, of course it is desired that the public shall use them.

Mr. SHAFROTH. Certainly.

Mr. SNODGRASS. Everybody who wants to use the rivers can do so.

Mr. SHAFROTH. Certainly.

Mr. SNODGRASS. When your lands are irrigated it is supposed that they will come into private hands, that private ownership will have them, and the public will not be benefited.

Mr. SHAFROTH. You must remember this fact, that great portions of the arid lands, perhaps nine-tenths of them, still belong to the Government of the United States and are open to settlement by the man from New York or the man from Pennsylvania, or the man from any other State who wants to come out and locate upon them. That privilege is not confined to residents of the State of Colorado or of the State of Wyoming.

Mr. MONDELL. Is it not a fact that in the matter of betterment of rivers and harbors the waters are used by private individuals, and that oftentimes one steamboat company may be the only beneficiary of an enormous expense in connection with a river and harbor?

Mr. GAINES. Everybody has a legal right to the use of navigable streams.

Mr. SHAFROTH. That is all true; and so has everybody a legal right to locate upon these lands.

Mr. GAINES. After locating them.

Mr. SHAFROTH. In the one case it is one using and in the other everybody using, but the principle is exactly the same. Now, Mr. Chairman, these lands are located upon by citizens of the United States or those who have declared their intention to become citizens of the United States. It is not a local matter; it is a matter for the Government to take in charge, and I must say that the irrigation works that have been constructed in arid countries throughout the world have been undertaken by their respective governments in those regions.

It is true that some few private enterprises have been undertaken; so we have it in my State. We have in my State some reservoirs constructed by private capital, but it has been proved that it does not pay. It does not become remunerative to private capital for the reason that the land laws of the United States are so constructed that these people can not become owners of the land, and can not get any benefit that inures to the land by reason of the construction of the reservoir.

Mr. GAINES. Will the gentleman allow me to ask him a question right there?

Mr. SHAFROTH. I have but five minutes, but I will yield to the gentleman.

Mr. GAINES. After these lands cease to be public property, and pass into private individual hands, will you want this Government still to continue to irrigate for the private individuals?

Mr. SHAFROTH. No, sir.

Mr. GAINES. Who is going to keep that up?

Mr. SHAFROTH. The people themselves do that after the reservoir has been constructed.

Mr. GAINES. Why not turn them in and let them go and irrigate now?

Mr. SHAFROTH. You can not do that until the reservoir is constructed.

Mr. Chairman, the reason that private capital can not undertake this enterprise is on account of the land laws of the United States. The land laws of the United States prohibit them from taking any land or going into partnership with anybody that will locate upon the public lands. It is made for the purpose of giving the settler the entire benefit; and if he gets the entire benefit of the water, then, of course, remuneration does not exist as to the corporation that undertakes the enterprise. That is the reason why governmental aid is the only way in which it can be done.

Mr. Chairman, I wish to say that that broad domain called the arid region of the United States has within it 74,000,000 acres, which, under the estimate of the Geological Survey, can be reclaimed by means of the construction of reservoirs, and that 74,000,000 acres will become rich and valuable lands. It will add enormous wealth not only to the States, but to the Union itself. As it is at the present time, the land laws of the United States are detrimental to the States in which they are situated. For instance, you take the broad domain in the eastern part of Colorado, not one-tenth, in some of the counties not one-twentieth, is owned by private individuals, and yet with all those broad acres, not populated, they have got to be controlled; and yet the land laws of the United States say you can not tax the land for the county and city government, and consequently instead of being a benefit it is a burden upon the people.

Now, Mr. Chairman, that condition exists there by reason of the fact that the land laws of the United States were formed with a view of affording to settlers any lands that receive a sufficient precipitation upon which to raise the ordinary crops. The homestead laws were constructed for the purpose of applying to lands that are situated in a humid climate; and the result is, they have not taken into consideration the inapplicability of those laws to the arid country. If a man should locate on that land, he could not live on it, or make a home there, unless he can get water. It costs a hundred times the price of the land to get the water. He could not live on it, and he can not make a home on it, and he can not settle up the country, unless some relief is given by the Government in this way.

Now, Mr. Chairman, where we of the West think we ought to have some fair—

The CHAIRMAN. The time of the gentleman has expired.

Mr. BURTON. Mr. Chairman, I regard the question of the disposition made of the arid land a very important one. If it were to come up as a separate measure here legitimately, after having been considered by a committee, and after they have given full and careful consideration to the subject and weighed all the different arguments for Government control, State control, and private control, so we might vote intelligently upon it, it would be a matter for intelligent consideration, but I most decidedly object to any amendment being placed upon this bill for these lands.

There is enough in the river and harbor bill already, if we are to have any legislation. If this or similar extraneous provisions are to be inserted, I want to say to the friends of river and harbor improvements that little by little it will become very difficult to obtain appropriations for such improvements as are indispensably necessary. Now, Mr. Chairman, I hope we will have a vote upon this proposition without further talk.

Mr. OLMSTED. I want to offer an amendment to the amendment.

The CHAIRMAN. The Chair recognizes the gentleman from Nevada.

Mr. NEWLANDS. Mr. Chairman, the question of irrigation has been before the Congress of the United States for many years. Thorough investigation has been made of this subject by expert employees of the Government, by Army officers, by the officers of the United States Geological Survey, and a vast amount of accurate data has been collected, thorough estimates have been made, and the time is now ripe for action.

The two political parties of the United States, recognizing this fact, made declarations in favor of the reclamation of arid lands in the West in their national platforms. The Republican convention met first and made a clear and unequivocal declaration in this line. The Democratic convention met next, and I had the honor to be one of the committee of platform of that convention, and a plank providing for the storage of water and the reclamation of the arid lands for settlement by home seekers received the special consideration of the members of that committee, received their unanimous support—finally the unanimous support. And I wish to say to the gentlemen on this side of the House that the question is foreclosed, so far as party action is concerned, by the deliberate judgment of the entire party, and that no man can vote against the reclamation of arid lands without violating the solemn obligations of his party.

Now, the question comes up as to the expediency and wisdom of this particular amendment. That is a matter, of course, upon which we have the right of deliberation and the right of judgment. Committal to a full and comprehensive scheme of the



storage of water and the reclamation of arid lands does not necessarily commit us to every scheme for the reclamation of arid land, whether chimerical or wise. We are simply committed to the general principle and to good faith in declaring that principle in legislation.

Now, as to the expediency of this amendment. What is this amendment? It provides for the storage of water at the head waters of the Missouri River. What is the Missouri River? A tributary of the Mississippi River. Where does it take its rise? In the Rocky Mountains. From what source are these great navigable streams, the Missouri and the Mississippi, fed? From the Rocky Mountains, largely. There are numerous streams flowing from the Rocky Mountains which are tributary to the Missouri and the Mississippi, rivers which feed these streams and maintain their flow.

What is the trouble with the great navigable rivers? The trouble is at times they are torrential floods and at times the water is so low as to impede navigation. We provide against floods by erecting levees. I do not contend against the wisdom of that procedure, but I claim that we should supplement that by preventing the floods; and, as the gentleman from Colorado [Mr. SHAFROTH] says, it can not be done by one reservoir, but it can by a series of reservoirs throughout the entire intermountain region, reservoirs which will preserve and conserve these flood waters and hold them on tap, responsive to the demands of science.

The CHAIRMAN. The time of the gentleman from Nevada has expired.

Mr. NEWLANDS. I ask for five minutes longer.

Mr. BURTON. Mr. Chairman, I must object. I ask that debate on this paragraph be now closed.

Mr. OLMSTED. Mr. Chairman, I have an amendment to the amendment.

The Clerk read as follows:

Amend the amendment by adding at the end thereof the following:

"And for the improvement of the navigation of the Susquehanna River by the construction of reservoirs and dams, \$2,000,000; one-half thereof in reservoirs at the head waters at such places as may be selected by the Secretary of War, and one-half in the construction of one dam at Northumberland, one at the mouth of the Juniata, and one at or near Middletown."

Mr. BURTON. I make the point of order, Mr. Chairman, on that amendment, and renew my motion that debate on the paragraph be closed.

The CHAIRMAN. The Chair will sustain the point of order. The question is on the motion that the debate on the paragraph be closed.

The question was taken; and the Chair announced that the motion was agreed to.

Mr. MONDELL. Division, Mr. Chairman.

Mr. GROSVENOR. Mr. Chairman, I do not think the committee understand what they are asked to vote on.

The CHAIRMAN. The motion was made by the gentleman from Ohio to close debate on this paragraph.

Mr. MONDELL. I withdraw the demand for a division.

The CHAIRMAN. The question now is on the amendment offered by the gentleman from Wyoming [Mr. MONDELL].

Mr. BURTON. Mr. Chairman, I ask that the amendment be again read.

The CHAIRMAN. Without objection, the Clerk will again read the amendment.

The amendment was again read.

The question was taken; and on a division (demanded by Mr. MONDELL) there were 37 ayes and 95 noes.

So the amendment was rejected.

Mr. NEWLANDS. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Reservoirs on and near the Humboldt River, Nevada: For the construction of a reservoir on Rock Creek, a tributary of the Humboldt River, in accordance with the estimates of the hydraulic engineers of the Geological Survey, reported to the Secretary of the Interior and printed in Part IV of the Twentieth Annual Report of said Survey, \$82,000.

For the construction of a reservoir on the Lower Humboldt River, in accordance with the estimate above referred to, \$41,240.

Mr. NEWLANDS. Mr. Chairman, this is an amendment asking for a total appropriation of less than \$100,000 for the construction of two reservoirs on the Humboldt River, in Nevada. That river is the most important river in the State. It flows from the eastern to the western part of the State, a distance of three or four hundred miles, and is through a valley whose soil is as rich as that of the Nile.

The difficulty with that river is that it is a flood during the periods of March, April, and May, when the water is least needed for cultivation, and the flood waters rush down in the sink of the desert and form a great lake called Humboldt Lake, about 35 miles long and 10 or 15 miles wide. That lake measures the unutilized waters of the Humboldt River, and if these waters are kept stored at the head or at the side of the stream in reservoirs provided by this amendment, they will maintain in a large degree a measured

and sustained flow of the stream, thus permitting a larger utilization of the flood waters by reason of the certainty that later on the land irrigated by the flood waters will not lack water in a time when it is most required to perfect cultivation.

Now, Mr. Chairman, this matter has been thoroughly examined and reported upon by the United States Geological Survey. Careful estimates have been made of the cost. The flow of the river has been measured. The flow has been estimated in periods of high water and in periods of drought, and you will find in the last annual report of the Geological Survey some 25 or 30 pages taken up with estimates of the amount of water that can be stored, the cost of storage, and most accurate and careful estimates of the expenditure which will be required to accomplish the storage of these waters as contemplated by the amendment.

You will see in that report a diagram, such as that I hold in my hand, that indicates by lines the height of the flood tide and the low-water mark. This gives accurate measurements for the entire twelve months; and you will observe that the flood water is concentrated within two or three months in the spring and early summer, while the rest of the year there is low water.

Now, I submit that it is utterly impossible under the existing law for any individual or corporation to undertake this work of reclamation. The Congress of the United States has wisely pursued the policy of preserving the public lands of the country for actual settlers and declaring against land monopolies by providing for small holdings of land—160 acres of land watered by the heavens and 320 acres of arid lands.

But when you go into the reclamation of the arid lands you must have concentrated holdings of thirty or forty or sixty thousand acres of land in order to warrant the expense of storage and diverting ditches. The Government alone has such large holdings, and it is against public policy to grant them to individuals or corporations. The policy of the Government requires that they should be held for settlement in small tracts by actual settlers, and this involves such a conservation of the waters as will promote such settlement.

Now, I repeat, there is no law under which this system of reclamation can be undertaken. It can not be done in a small way, as I have said, by the settlers themselves on these small tracts of land. I ask, then, What is the obligation of the Government in the premises? I answer, to save and conserve the flood waters of the rivers for purposes of irrigation. Now, you improve the rivers for purposes of navigation because navigation is a public use.

But irrigation is also a public use. It is a public use subject to the control of the law. There is no reason that applies to the expenditure of public money for promotion of navigation that does not apply to the promotion of irrigation. In addition, the Government is the owner of these arid lands. The question is, Shall they be prepared by some rational and comprehensive plan for settlement?

[Here the hammer fell.]

Mr. BURTON. I move that all debate be closed upon this paragraph and amendment.

The motion was agreed to.

The question being taken on the amendment offered by Mr. NEWLANDS, on a division there were—ayes 23, noes 83.

So the amendment was rejected.

The Clerk read as follows:

Reservoirs at the head waters of the Mississippi River: Continuing improvement, \$900,000. The funds herein appropriated and the unexpended balance of former appropriations for this work shall be expended for the necessary renewal and repair of the reservoirs that have already been completed, and for the purchase of the lands or easements therein which are necessarily subject to overflow by reason of the legitimate operation of the said completed reservoirs: *Provided*, That so much of said funds as may be required may, in the discretion of the Secretary of War, be expended in making full and accurate surveys of the flowage lines of Winnibigoshish, Leech Lake, Pokegama Falls, and Pine River reservoirs, and in permanently marking such lines on the ground; also in making a further investigation, including an examination and survey of Willow River, in Aitkin County, Minn., to determine the causes of and the means of preventing the excessive floods on the river between the Government dam at Sandy Lake and Brainerd, Minn., and the effect thereof on the interests of navigation.

Mr. BARTHOLDT addressed the Chair.

Mr. BELL. Mr. Chairman, I have an amendment pending.

The CHAIRMAN. The gentleman from Missouri has just offered an amendment which the Chair will first receive, after which the Chair will recognize the gentleman from Colorado.

Mr. BARTHOLDT. Mr. Chairman, I offer the amendment which I send to the desk:

The Clerk read as follows:

That the Mississippi River Commission shall estimate the cost of a system of reservoirs located in the St. Francis Basin, the said system of reservoirs to be large enough to cut some 10 feet off of the top of the greatest floods at the junction of the Mississippi and Ohio rivers, or to reduce the extreme flood level to about the equivalent of a 42-foot stage on the gauge of Cairo, the object being to ascertain the feasibility and cost as compared with the levee system now in course of construction, and the relative cost of their maintenance.

Mr. BARTHOLDT. Mr. Chairman, this amendment differs

very materially from the various amendments offered in the course of the afternoon on the question of reservoirs. It merely calls for an investigation and report. A large number of reputable river engineers seem to be of the opinion that the great problem of Mississippi River floods can be solved by the establishment of a system of reservoirs in the St. Francis Basin.

Mr. MONDELL. Will the gentleman allow a question?

Mr. BARTHOLDT. I have not yet stated my proposition.

Mr. MONDELL. I wanted to ask a question on the statement the gentleman has already submitted. He said that his suggestion in this amendment or proposition differs materially from those offered by other members relative to the storage question. In what respect, I ask him, does his differ from the other propositions in reference to these Western reservoirs?

Mr. BARTHOLDT. If the gentleman will do me the courtesy to listen to me a few minutes longer I will endeavor to explain the difference.

Mr. MONDELL. I will be very happy to listen to the gentleman.

Mr. BARTHOLDT. Other engineers, some of them Army engineers, do not look upon this project with favor. In fact a good many of us know what the report of the Mississippi River Commission would be. I believe the report would be inimical to the project, but as long as there is a difference of opinion among the engineers, and since Congress has never yet had any authoritative report upon this proposition, I hope the chairman of the committee will accept this amendment and that it may be adopted. The difference between this amendment and the one offered by my friend from Wyoming [Mr. MONDELL] is that it entails no additional expense. If any expense should be caused by it, the money can be taken from the general appropriation made for the stretch of the river between St. Louis and Cairo. But since the Mississippi River Commission is already in possession of all the facts and the data in connection with that project, I do not think a single dollar will be necessary if that amendment is adopted. I hope the distinguished chairman of the committee will accept the amendment and the committee will adopt it.

Mr. BURTON. Mr. Chairman, my own personal opinion is very decided that this system of reservoirs to which this resolution looks is absolutely chimerical. The provision is:

That the Mississippi River Commission shall estimate the cost of a system of reservoirs located in the St. Francis Basin, the said system of reservoirs to be large enough to cut some 10 feet off the top of the greatest floods at the junction of the Mississippi and Ohio rivers, or to reduce the extreme flood level to about the equivalent of a 42-foot stage on the gauge of Cairo—

Now, has the gentleman from Missouri ever made a computation of how large and deep a basin in the St. Francis Valley would be necessary in order to cut off this 10 feet from the summit of a Mississippi flood, or to reduce the extreme flood level to about the equivalent of a 42-foot stage on the gauge at Cairo—

the object being to ascertain the feasibility and cost as compared with the levee system now in course of construction, and the relative cost of their maintenance.

This looks to an entirely different system from the present, namely, of regulating the height of floods on the Mississippi by reservoirs. I do not believe it is feasible or possible; but I do not wish to have my personal opinion stand in the way of proper investigation.

I will suggest to the gentleman from Missouri, however, another objection to this provision:

The Mississippi River Commission shall estimate the cost of a system of reservoirs.

Now, our system in regard to making these examinations is well established. First we have a preliminary examination, in which there is a general report upon the feasibility or advisability of a project. If that is favorable, the Chief of Engineers recommends it, and if the Secretary of War in his discretion exercises his right, then there is a detailed estimate; but the provision of the gentleman contemplates an estimate in any event.

Now, suppose the Mississippi River Commission could tell, after one day's discussion, that this was absolutely impracticable. This provision would compel them still to go ahead and estimate the cost of a system of reservoirs. It does not seem that the gentleman should insist on that provision. I would say to him that this belongs more properly in any event in the provision as to surveys, and if in the meantime he will modify it so as to obviate the objection I have suggested, and will strike out the provision requiring an estimate in any event, I assure him that the committee will not object to the provision. I should be glad if he would let it rest until then.

Mr. BARTHOLDT. Mr. Chairman, I merely desire to say that in the main I agree with the chairman of the committee. I myself believe the project to be rather chimerical, but I want to get some authentic expression from the only authority we have on that subject—the Mississippi River Commission—as to whether it is feasible or not. Now, if there is any objection to the phraseology of the amendment I am perfectly willing to modify it so as to make it merely provide for an inquiry calling upon the commis-

sion to report to Congress whether the project is feasible or not. I shall reoffer it in a modified form at a later stage of the proceedings.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Missouri.

Mr. BARTHOLDT. Mr. Chairman, I wish to strike out the words calling for an estimate of cost.

Mr. BURTON. I have no objection to that. I should like to have the people who are interested in that problem get a report upon it.

The CHAIRMAN. How does the gentleman from Missouri desire to have his amendment read?

Mr. BURTON. I suggest to the gentleman from Missouri that he redraw his amendment so as to take out that portion to which I have made objection. Then there will be no objection to the amendment as modified being inserted later.

The CHAIRMAN. Without objection, the gentleman's amendment will be withdrawn. Is there objection?

There was no objection.

Mr. BELL. Mr. Chairman, I have an amendment pending.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Colorado.

The Clerk read as follows:

Add after the word "dollars," at the end of line 11, at page 70, the following words: "And \$300,000 for the building of reservoirs near the head waters of the Platte and Arkansas rivers, in the State of Colorado, and for channels diverting the high spring flows into the same, and for holding the same for the purpose of relieving the banks during the spring freshet of the Missouri and the Mississippi rivers; and that the navigable waters of said last-named streams may be increased during low water."

Mr. BELL. Mr. Chairman, at the head of the Arkansas River we now have some reservoirs. They are used largely at the present time as fish hatcheries. We have other reservoirs at the head of this river, about which I have made inquiries of the Geological Survey Department. The Hydrographer of the Government states that he has surveyed numerous of these reservoirs at the head of the Arkansas; that he has been estimating the cost of storing the waters. He says they have found reservoirs adequate, and that the high-water flow of these rivers can be stored at that point.

Now, we have gone into this to some extent already. He informs me that they worked on this reservoir until July, 1890, when the appropriation was exhausted. Now, I want to say, when our friends talk about private ownership of reservoirs, when I was speaking of this the other day the gentleman from Connecticut [Mr. HILL] insisted that the reservoirs in the Old World were made and operated by individuals. I submitted an inquiry to the Hydrographer of the Government, and he informs me in a letter, which I have not time to read, that every attempt in the known world of individuals or private companies to reclaim arid lands has been a failure; that the government of India, of Italy, of Spain, of Australia, and every other country has to go in first and build the great reservoir and start the water, and then make the reclamation and turn it over to the people of the states, and they manage and operate it under the direction of the government from that time on.

And in this letter, and privately, he tells me that Australia attempted to reclaim its arid land by private companies and that they abandoned it, and that the officer of that government who represents the same position as our Secretary of State has visited every country practically in the world for the purpose of finding the most feasible scheme in the matter of reclamation, and in his report makes the remark that we have an area of hundreds of millions of acres of arid land in America, the greatest in the world, and that we failed as to private individuals. Now, there is no doubt about that.

I picked up a little work on irrigation that starts out in this way:

Irrigation is older than the Christian era. Babylon had an entire network of irrigation ditches. There is in Egypt even to-day an irrigation canal four thousand years old. India irrigates 10,000,000 acres of ground, and its irrigation system has cost the Indian government \$100,000,000. More than half the agriculture of France is by irrigation. The largest part of Persia, Germany, Austria, Turkey, Italy, Australia, China, Greece, and Japan is irrigated to produce their crops.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BURTON. I move, Mr. Chairman, that debate upon this amendment be now closed.

The CHAIRMAN. The gentleman from Ohio moves that debate on this paragraph and amendment be now closed.

The motion was agreed to.

The CHAIRMAN. The question now is on the amendment offered by the gentleman from Colorado.

The question was taken; and the amendment was rejected.

Mr. KING. Mr. Chairman, I offer the amendment which I send to the Clerk's desk.

The Clerk read as follows:

Insert, at the end of line 3, page 71, the following:

"That the Geological Survey is hereby directed to make detailed surveys and prepare specifications for the diversion of Grand and Green rivers, in the States of Colorado and Utah, and prepare maps showing the lands which



can be reclaimed by such diversion of said rivers and the unwatered lands, and the value of such diversion for mechanical and commercial purposes which would not materially impair the use of such water for irrigation purposes.

"Sec. 2. That the Director of the Geological Survey shall make a report to the Secretary of the Interior as to the cost and benefits of such diversion of said rivers and as to the practicability of the utilization of these waters in the reclamation of arid lands, and the development of mechanical powers as an incident thereto.

"Sec. 3. That upon the filing of such report or of preliminary statements the Secretary of the Interior may, in his discretion, withdraw from public entry the lands to be benefited by the diversion of the waters of the said rivers, except as hereafter provided; and also a strip of land 100 feet in width on each side of the center line of the diverting canal, or other hydraulic works to be constructed in connection with said diversion, and shall, if found feasible, report to the Secretary of the Interior the necessary amount to build the same, which amount shall be certified to Congress and an appropriation requested therefor, and if made the Government shall enter upon and complete said diversion.

"Sec. 4. That the public lands to be irrigated by such diversion of water from said rivers shall be subject to homestead entry after notice by the Secretary of the Interior, upon the conditions that, in addition to the requirements of the homestead act, the entryman, upon the making of the final proof of settlement, shall pay to the Government the sum of \$2.50 per acre, and enter upon an agreement to make further payment, extending over a term of not to exceed ten years and aggregating \$10 per acre, this being in consideration for the use of the necessary water thus diverted for the irrigation of said lands; and each entryman shall be limited to the entry and settlement of 80 acres, and shall be required to pay for the said water as aforesaid before his final proof, provided he begins the use of the same prior to final proof of settlement."

Mr. BURTON. Mr. Chairman, I raise the point of order that the amendment is not germane. It clearly includes a number of subjects that do not belong to either the committee or the river and harbor bill—in regard to the Coast and Geodetic Survey, the withdrawal of land from settlement, etc.

The CHAIRMAN. The Chair holds that it is neither germane to the purpose of the bill, nor does the Committee on Rivers and Harbors have jurisdiction of the subject-matter contained in the amendment.

The Clerk read as follows:

Improving the Mississippi River from the mouth of the Ohio River to St. Paul, Minn.: Continuing improvement, \$1,300,000: *Provided*, That on and after the passage of this act additional contracts may be entered into by the Secretary of War for such materials and work as may be necessary to carry on continuously the systematic improvement of the Mississippi River between the points mentioned, or the said materials may be purchased and work may be done otherwise than by contract, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate \$2,600,000: *And provided further*, That of the amount herein appropriated, \$906,667 shall be expended from the mouth of the Ohio to the mouth of the Missouri River and \$693,333 from the mouth of the Missouri River to St. Paul, and the amounts for which additional contracts are authorized to be entered into shall be expended in like proportion. Of the amount herein appropriated for the improvement of said river between the mouth of the Missouri River and St. Paul, the Secretary of War is hereby authorized, if, in his judgment, the same is required in the interests of navigation, to expend the following amounts, to wit, \$15,000, or so much thereof as may be necessary, in removing the bar at the mouth of Hamburg Bay, and dredging said bay; \$15,000, or so much thereof as may be necessary, for dredging the channel at Quincy Bay, at Quincy, Ill.; \$10,000, or so much thereof as may be necessary, for removing the sand bar in front of the steamboat landing at Quincy, Ill.; \$20,000 for the maintenance, repair, and riprapping of the natural and artificial banks along the eastern shore of the Mississippi River from Warsaw, Ill., to Quincy, Ill.; \$20,000, or so much thereof as may be necessary, for dredging the channel and removing sand bars at Hannibal, Mo.; \$50,000, or so much thereof as may be necessary, to protect the bank of the Mississippi River from caving opposite the mouth of the Missouri River; \$14,000 for the construction of a harbor of refuge on the east shore of Lake Pepin, in the Mississippi River, according to the project reported October 27, 1899; and \$1,500 for removing the bar in the Mississippi River at the mouth of Fountain City Bay at the foot of North street, Fountain City, Wis.; and he shall cause a survey to be made on the east bank of the Mississippi River, commencing at the city of Quincy and running along the east bank of the Mississippi to Sny Levee, with a view to improving navigation by preventing the water from overflowing the natural and artificial banks along that part of the river and deepening the channel. The \$10,000 heretofore appropriated by the sundry civil act of March 3, 1899, for the improvement of the Mississippi River at Davenport, Iowa, shall be applied for the construction of a harbor of refuge from ice at a point at or below the said city of Davenport: *Provided*, That such harbor can be constructed for not more than the \$10,000 heretofore appropriated.

Mr. ROBB. Mr. Chairman, I desire to offer the following amendment:

The Clerk read as follows:

Amend the bill by inserting the following between the words "proportion" and "of," in line 22, on page 71: "Of the amount herein appropriated for the improvement of the Mississippi River from the mouth of the Ohio River to St. Paul, the Secretary of War is hereby authorized, if in his judgment the same is required to protect the banks on the Missouri side, improve the channel of the river, and in the interests of navigation, to expend the following amount, to wit: Ten thousand dollars, or so much thereof as may be necessary, in closing up the head or north end of Missouri Chute, at or near the north end of Cranes Island."

Mr. ROBB. Mr. Chairman, that amendment does not propose any additional appropriation. The proposition embodied in it is simply that that amount be expended for the purpose of closing up the head or north end of Missouri Chute. Missouri Chute is an arm of the Mississippi, separating Crane Island from the Missouri side, and recently the river has been cutting in there, destroying the banks, and is now threatening to destroy a little town of some two or three hundred inhabitants, known as Belgique. The object of the amendment is twofold. I will admit that it is for the protection, in part, of the property bordering on the Mississippi River; it is for the protection of the banks, and it is also for the purpose of improving the channel of the Mississippi River east of Crane Island.

Now, there is another chute of the Mississippi running through the central part of Crane Island, and there is a shoal or bar extending east of Crane Island toward the Illinois side. The result has been that the channel has become very shallow, and not far above Crane Island, in the last year or two, two or three vessels have been wrecked on account of the shallowness of the channel. So that the amendment not only proposes to protect the banks, and the preservation of them, but it has for its purpose the improvement of the channel of the river.

Now, to allow this to continue much longer will require a much greater appropriation. The River and Harbor Committee have proposed or authorized a survey under the direction of the Secretary of War and a report thereon. If the survey and the report made thereon should be in favor of closing up this Missouri Shute at its head, it will cost five times as much as now by reason of the delay. Under the amendment it is left to the discretion of the Secretary of War, or the engineer in charge, whether this amount shall be applied in this place. I think the chairman of the committee will see no reason for objecting to the expenditure of this money at this point for this purpose if in the judgment of the Secretary of War it be deemed necessary.

Mr. BURTON. Mr. Chairman, the argument of the gentleman from Missouri will hardly bear analysis. In the first place, the Secretary of War in his discretion may apply any portion of this money appropriated for the Mississippi River between the sections named for local improvement. We were very reluctant to insert further diversions. Prior bills contained a great many diversions, and in this we diminish the number probably to a quarter of what has been in the prior bills.

In that particular I think we wrought a great improvement. The more you diminish the specific appropriations for locations, the more you give the engineer opportunity to exercise a rational discretion and work for the general improvement of the river. Now, saying to him "in his discretion he may" do it does not mean anything; it is hardly correct, because the Secretary of War, when we say "in his discretion he may" do it considers it mandatory and does do it. We wish to have that phraseology, mild as it is, respected by him.

A few years ago the question arose whether, in making continuous contracts, the word "must" or "may" should be employed, and after discussion "may" was used; and it has been found that the course of action which the Secretary of War was permitted to take has been followed in the same way as if it was mandatory.

Now, I want to call attention to a more serious objection to this provision, and that is that there is now already in the bill, on page 92, a provision for the survey at Missouri Shute, which would involve a reexamination of the banks and the whole question involved in the continuation of the appropriation.

Mr. ROBB. I will say that I referred to that, and made the statement that the survey would cost a great deal more, the way the river is cutting in there, than it would by applying a part of the appropriation immediately, or as soon as it is available, to enter upon the work there.

Mr. BURTON. I want to say that it would not be safe for us to make a survey and provide for an appropriation in the same bill.

Mr. ROBB. In the event that this amendment is adopted, I will ask that the bill be amended by striking out the provision authorizing the survey.

Mr. BURTON. I think the course pursued in making the examination should first proceed. The committee has no information before it differing from every other great county on the Mississippi River to lead it to think that there should be a diversion made here. It is true that we received correspondence and petitions from localities scattered all the way from Cairo up, and also down, I may say, but we have thought best to ignore them and make provisions general in their character, except those where circumstances existed which do not exist in this case.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Missouri.

The question was taken; and the amendment was rejected.

Mr. MONDELL. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

At the end of line 14, page 73, insert the following: "The Secretary of War is hereby directed to cause preliminary surveys or examinations to be made of one or more reservoir sites in each arid and semiarid State, and report upon the cost, practicability, and desirability of constructing such reservoirs and other works necessary for the storage and utilization of water to prevent floods, overflows, and erosion of river banks and levees, and for the reinforcement of the flow of streams and raising the water line therein during drought and low water, and to utilize the water so stored, where practicable, for irrigation, mining, or domestic purposes while it is in transit to replenish the streams during the season of low water, and the sum of \$50,000 is hereby appropriated to carry out the purposes of this section."

Mr. MONDELL. Mr. Chairman, it is proposed by this amendment to have surveys and investigation made in the various arid and semiarid States in the United States.

Mr. BURTON. Mr. Chairman, I have taken it for granted



that this is in line with the first amendment. Is not this subject to a point of order?

The CHAIRMAN. The Chair thinks it is, if the point is made.

Mr. BURTON. I make the point of order.

Mr. MONDELL. It occurs to me, Mr. Chairman, that the point of order can not be made after consideration of the matter has begun.

Mr. BURTON. If the gentleman from Wyoming can conclude his remarks in five minutes, I will not oppose it, but I would like to have the reservoir matter out of the way—

Mr. KING. I make the point of order that the gentleman from Ohio is out of order.

The CHAIRMAN. Did the gentleman from Wyoming commence to argue this question before the point of order was made?

Mr. BURTON. I withdraw the point of order, Mr. Chairman.

The CHAIRMAN. The gentleman from Wyoming has five minutes.

Mr. MONDELL. I am of the opinion that the amendment is not subject to a point of order, but as the gentleman has waived it there is no necessity for discussing that matter.

I wish to be entirely frank with the House in this matter. We all know that these reservoirs are proposed incidentally in the interest of irrigation, but primarily in aid of navigation. It is possible, Mr. Chairman, that some of the members of the House withhold their votes from amendments of this character for the reason that they do not understand thoroughly what the people of the arid and semiarid regions of the country ask of the General Government in the matter of appropriations, directly or indirectly, in the interest of irrigation. We hear a great deal about the Government aiding in the irrigation of land in private ownership, and the Government aid in the reclamation of the Government land.

Mr. Chairman, so far as I am personally concerned, and so far as I represent the voice of the people of the arid West on this subject, I am not, and neither do I believe the people of the arid region are generally, in favor of having the National Government undertake by the construction of diverting and distributing works the reclamation of the arid lands of the West. What we ask is that the Government shall hold back at the heads of the streams the flood waters which now run to waste and cause destruction in the lower courses of the navigable rivers of the country, calling for vast appropriations annually to repair the damage wrought; and we hold that there is no valid objection to appropriations for this purpose found in the fact that when the water has been reservoirized by the General Government and has served its public purpose—has been discharged from the reservoir and again returned to the stream—that the people of these regions at their own expense shall be able to divert it from the stream channels and at their own expense irrigate arid lands.

The reservoirizing of the flood waters of the West will not make it easier or cheaper to irrigate the arid lands of the West, but will make it possible for the people of that region to utilize the entire flow of the streams in that part of the country. We ask that the General Government shall only undertake the admittedly public work of storing and conserving the flood waters, preventing flood destruction, preventing overflows in the lower valleys of the navigable streams of the country, and we, of the arid regions, expect when this is done, at our own expense, without any additional outlay by the Government, to divert these waters to our arid valleys and hillsides and make them fruitful and productive.

[Here the hammer fell.]

Mr. BURTON. I move that all debate be closed on the amendment.

The motion was agreed to.

Mr. SHAFROTH. I move to strike out the last word.

The CHAIRMAN. That motion is not in order under the action just taken by the committee.

Mr. SHAFROTH. But this, Mr. Chairman, is another amendment. The motion was to close the debate on the pending amendment.

The CHAIRMAN. A license has been granted in Committee of the Whole to make these pro forma amendments; but, under the motion of the gentleman from Ohio, the Chair thinks it would not be in order to entertain it now.

Mr. SHAFROTH. I only wanted two minutes.

Mr. KING. Let me submit a parliamentary inquiry: If a motion is made, such as the gentleman from Ohio has made, to close the debate on the pending amendment, does that preclude offering an amendment on the question?

The CHAIRMAN. It does not. It only operates to cut off debate.

Mr. KING. Is not the amendment of the gentleman from Colorado distinct and different from that offered upon which the motion to close the debate was made?

The CHAIRMAN. The Chair thinks not. And the question now is on the amendment proposed by the gentleman from Wyoming [Mr. MONDELL].

The question was taken; and the amendment was rejected.

The Clerk read as follows:

Improving Mississippi River from Head of the Passes to the mouth of the Ohio River, including salaries, clerical, official, traveling, and miscellaneous expenses of the Mississippi River Commission: Continuing improvement, \$2,500,000, which shall be expended under the direction of the Secretary of War, in accordance with the plans, specifications, and recommendations of the Mississippi River Commission, as approved by the Chief of Engineers, for the general improvement of the river, for the building of levees, and for surveys, including the survey from the Head of the Passes to the head waters of the river, in such manner as in their opinion shall best improve navigation and promote the interests of commerce at all stages of the river: *Provided*, That on and after the passage of this act additional contracts may be entered into by the Secretary of War for such materials and work as may be necessary to carry on continuously the plans of the Mississippi River Commission as aforesaid, or said materials may be purchased and work done otherwise than by contract, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate \$5,000,000, exclusive of the amounts herein and heretofore appropriated: *Provided further*, That the money hereby appropriated and authorized to be expended, in pursuance of contracts or so much thereof as may be necessary, shall be expended in the construction of suitable dredge boats and other devices and appliances, and in the maintenance and operation of the same, with the view of ultimately obtaining and maintaining a navigable channel, from Cairo down, not less than 250 feet in width and 9 feet in depth at all periods of the year, except when navigation is closed by ice: *Provided further*, That of the sums hereby appropriated and authorized to be expended \$50,000 shall be expended in continuing improvement at Greenville, Miss.; \$20,000 in continuing improvement at Helena, Ark.; \$20,000 in continuing improvement at New Madrid, Mo., and \$20,000 in continuing improvement at Caruthersville, Mo.

Mr. HEPBURN. Mr. Chairman, I desire to ask the attention of the chairman of the Committee on Rivers and Harbors for a few minutes, with a view to obtaining information on certain language that I find in this provision of the bill. This reads:

Obtaining and maintaining a navigable channel from Cairo down, not less than 250 feet in width and 9 feet in depth, at all periods of year except when navigation is closed by ice.

I desire to ask if it is believed this is the maximum of improvement that can be made within reasonable cost on this river—9 feet depth?

Mr. BURTON. I will say to the gentleman from Iowa that there is a great difference of opinion upon the subject. Engineers have examined it and carefully considered the problem, and the general consensus of opinion is that 9 feet was the best available limit for all seasons of the year.

It should be borne in mind, however, that for a considerable period there is much deeper water. Sometimes for three-quarters of the year—two hundred and seven days—

Mr. HEPBURN. I find on page 69 of the bill that provision is made—

For a survey with a view to obtaining a navigable waterway 14 feet in depth from Lockport, Ill., by way of the Des Plaines and Illinois rivers, to the mouth of the Illinois River.

Mr. BURTON. That is for a survey. There are two different propositions involved which are included in the examination, one being for a through channel from Chicago to the Gulf, another from Chicago to St. Louis, and there is a third from Chicago to some point in Illinois.

Now, the arguments made—and I do not care to go into the discussions which took place in the committee upon this proposition—is that the drainage canal 22 feet deep has been already opened over the watershed between the lakes and the Mississippi, and that the opportunity for communication between the lakes and the valley of the Mississippi afforded by this canal should be taken advantage of.

If the gentleman will ask me for my personal opinion of whether that depth is practicable, I am perfectly willing to give him my individual opinion.

Mr. HEPBURN. I would like to know very much the opinion of the Chairman on that subject.

Mr. BURTON. The question was raised how a 14-foot channel with this depth could be rendered of any value when, even below St. Louis—even below Cairo—there is not yet a uniform depth of 9 feet; when from Cairo to St. Louis there is barely 8 feet, and when above St. Louis to the mouth of the Illinois there is even less, and it is difficult to maintain.

The answer made to that was the presentation of statistics claiming to establish the fact that for more than half of the average years, or for the past fifteen or twenty years, I have forgotten exactly how long a time, there had been a depth of 14 feet from the mouth of the Illinois down to the Gulf, and that that navigation would be of enough importance to justify at least a survey for such a canal. That is, suppose they should not have navigation the year around, the length of high-water navigation would be of sufficient benefit to justify an elaborate and exhaustive examination of the subject.

Mr. HEPBURN. Will the gentleman permit another question?

Mr. BURTON. Certainly.

Mr. HEPBURN. I see that the paragraph just read provides for a possible appropriation of \$7,500,000 to secure a uniform depth of 9 feet on the Mississippi River to Cairo.

Mr. BURTON. Yes.

Mr. HEPBURN. Now, will the gentleman tell the committee what portion of that work will be done by this \$7,500,000, in his judgment?



Mr. BURTON. It is impossible for me to say. I could not, in frankness, make any other answer.

Mr. HEPBURN. Has there been any estimate, by persons competent to make it, as to what will be the cost of securing that uniform depth of 9 feet?

Mr. BURTON. There have been divers estimates made in regard to that. The trouble is the engineers and others having the matter in charge have not always proceeded on a uniform plan. They have now adopted the plan of making the improvement in certain definite ways; dredging, leveeing, revetting the banks, for the protection of the banks against cut-offs and for the protection of landings.

Mr. HEPBURN. And for the prevention of caving.

Mr. BURTON. And for protection where there was extensive danger to the levee system. Now, as to what amount will be required for that, estimates have been made as to the expense. An estimate was made as to the expense of revetting, which was exceedingly large. It was at the least \$75,000,000. That has been abandoned for the present. The expense for the present system of improvement, by dredging, by leveeing, by a limited amount of revetting or protection of the banks, will be considerably less.

It should be borne in mind, however, that there would be a considerable annual expense in the maintenance of the improvements, caused by the devastations of floods.

Mr. HEPBURN. Would the chairman have objection to stating to the committee what results, in his judgment, have been secured by the expenditure of the forty-one million dollars and odd that were expended on this river prior to 1898?

Mr. BURTON. An improvement in navigation to some extent, a better confinement of the banks of the river, protection to a very large amount of abutting territory, which incidentally confers some benefit upon navigation.

Mr. CATCHINGS. If the chairman of the committee will allow me—

Mr. HEPBURN. Pardon me for asking so many questions, but I would like to know if the gentleman can give just now a statement of the depth of that channel at this time in the shallower reaches of the channel.

Mr. BURTON. In what portion?

Mr. HEPBURN. Where it is shallowest.

Mr. BURTON. During the whole of the past season there has been a minimum depth of 9 feet.

Mr. HEPBURN. What is the depth at this time, if you please?

Mr. CATCHINGS. Very much more. The river is in flood now.

Mr. BURTON. Just now the river is somewhat up, and it would be considerably more than that.

The CHAIRMAN. The Clerk will proceed with the reading.

The Clerk read as follows:

Improving Missouri River above Sioux City: Continuing improvement and maintenance, including snagging, \$40,000.

Mr. BURKE of South Dakota. Mr. Chairman, I offer the amendment which I send to the Clerk's desk.

The CHAIRMAN. The Clerk will report the amendment of the gentleman from South Dakota.

The Clerk read as follows:

Insert in line 14, page 75, after the word "State," the following:

"To and including Bismarck."

In line 15 strike out the word "forty" and insert "two hundred."

In line 16, after the word "dollars," insert "to be expended in the discretion of the Secretary of War."

Mr. BURKE of South Dakota. Mr. Chairman, this amendment simply increases the appropriation provided for the Upper Missouri River, and provides that it shall be expended between Sioux City, in the State of Iowa, and Bismarck, in the State of North Dakota. Now, it seems to me that this appropriation of \$40,000 is entirely inadequate to the needs upon that river.

Appropriations have been made by several Congresses, and work is in process of construction that is incomplete, and more money than \$40,000 ought to be appropriated now for the purpose of protecting the work that has already been done. It can not be said that the Missouri is not a great river, because it is the greatest river in this country.

It can not be said that it is not navigable, because it is navigable, and it seems to me that the committee, while I do not wish to cast any reflection upon them whatever, have not treated the Missouri River fairly, and that this appropriation should be increased up to what it was by the last river and harbor act, which was \$220,000.

Mr. BURTON. It is very evident that this committee ought to do something about the Missouri River. A few years ago, when we read the report of the engineers, they were of the most roseate character as to what would be the effect on Bismarck, Sioux City, and other towns on the river if appropriations were continued, and that the money that had been expended had done a great deal of good.

The House put in an appropriation for the protection of banks,

and included with it an appropriation for snagging. Now, after the appropriations have been made, gentlemen come in with remarks of a tenor altogether different. They all point toward calamity. More money is now needed, and if we do not appropriate more money, the work that has already been done is going to be destroyed. So it is every time the committee does appropriate, and the money has been expended.

More especially from the reports of 1897 and 1898 it is stated that the banks have washed away, the waterworks at such and such a place are likely to be destroyed, and the bank for over 7 or 8 miles was going to be turned, and that on a stretch of river where for 2,000 miles there is no tonnage, about one good-size, ordinary boat load in a year for the whole of it.

Mr. BURKE of South Dakota. What amount of tonnage is on the Lower Missouri River, outside of barges? Is not it about 36,000 tons?

Mr. BURTON. About 46,000.

Mr. BURKE of South Dakota. I think it is about 37,000 tons.

Mr. BURTON. I have those figures written out, and I think it is important that they should be given exactly.

Mr. BURKE of South Dakota. I think it is 37,000 tons.

Mr. BURTON. It is 46,667 tons, exclusive of other kinds of freight, which is twice as much or more than that on the upper river.

Mr. BURKE of South Dakota. Now, you make an appropriation of \$300,000 for the lower river?

Mr. BURTON. Yes; but the gentleman can hardly compare the upper river with the lower river in the population of it and the importance of the improvements there with those above. It is in the first place distinct from the upper river, has a larger amount of tonnage, and has a possibility of competition in such a way as to regulate freight rates.

In the next place the Upper Missouri, or a very large part of it, goes through an absolute desert, or a very sparsely settled country, while from Sioux City down it is thickly populated and very wealthy.

Mr. BURKE of South Dakota. But at this portion between Bismarck and Sioux City?

Mr. BURTON. If you restrict it between Sioux City and Bismarck, you have not the mileage. I would say in neither event can you compare the upper with the lower part of the river.

The CHAIRMAN. The question is on the amendment offered by the gentleman from South Dakota.

The question was taken; and the amendment was rejected.

Mr. THOMAS of Iowa. Mr. Chairman, I desire to offer the following amendment.

The Clerk read as follows:

Insert after line 16, page 75, after the word "dollars," the following:

"Improving Missouri River and wharfs at Sioux City: Continuing improvement and maintenance, \$30,000."

Mr. THOMAS of Iowa. Mr. Chairman, in explanation of this amendment, I desire to state, in addition to what I said a few days ago, that the bill as it now stands seems to exclude Sioux City entirely from the operations of the bill. The bill provides:

For improving Missouri River above Sioux City: Continuing improvement and maintenance, including snagging, \$40,000.

Improving Missouri River below Sioux City: Continuing improvement, \$30,000.

It will be seen that the river front at Sioux City is not covered by the present bill at all. It has been intimated by the chairman of the committee that it was the purpose of the committee to cover the entire course of the river, but the bill itself does not do that. The appropriation bill reported by the River and Harbor Committee two years ago appropriated or carried \$170,000 for improvements above Sioux City.

Under the allotment made by the Secretary of War \$30,000 of that amount was designated to be expended at Sioux City; but upon objection being made the question was referred to the Attorney-General, and he held that under the language of the bill there was no authorization for making any expenditure of the amount appropriated at Sioux City, the bill using the language "above Sioux City."

Now, I have offered this amendment to include the space between the designations in the bill of "above Sioux City" and "below Sioux City." In relation to the necessity for this appropriation, I desire to state that several years ago the policy of improving the Missouri River at this point was adopted by Congress. Numerous appropriations have been made.

A plan has been reported by the engineer in charge of the work for the protection of the banks and wharves at this point. This work has not been completed, and if left without any further appropriation at all in a few years it will be destroyed and washed out entirely. Already about \$230,000 has been expended here, and unless additional appropriations be made the money already expended will be to no purpose. I therefore urge that this amendment be adopted.

Mr. BURTON. Mr. Chairman, this is the same question we

had two years ago. This is an amendment to improve the Missouri River and wharves at Sioux City, which can not be included within the legitimate purview of river and harbor improvements. It would appear that a very large sum has been spent at Sioux City, a part of which has been for revetting the banks, some for the protection of the abutments of railroad bridges, and also to preserve the banks from erosion.

Now, it seems to me that we should cease that character of appropriations. In reply to the other part of the gentleman's statement, that more definite language should be adopted. That has some foundation. I can see no objection to amend the provision so that it would read in this way: "Improving Missouri River, beginning at the lower limits of Sioux City, Iowa, and extending to Fort Benton." If that is satisfactory to the gentleman I have no objection to its adoption.

Mr. THOMAS of Iowa. I suggest a vote on this amendment first.

Mr. BURTON. It is always stated when these improvements have been commenced that unless more money is appropriated the improvements that have already been made will be destroyed. That is an argument we have had on these appropriations ever since my earliest recollections on the subject.

The question was taken on the amendment of Mr. THOMAS of Iowa, and it was rejected.

Mr. BURTON. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. HOPKINS, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 13189 and had come to no resolution thereon.

#### URGENT DEFICIENCY BILL.

Mr. MOODY of Massachusetts. Mr. Speaker, I am directed by the Committee on Appropriations to report the bill (H. R. 13599) to supply deficiencies of appropriation for transcript of records and plats in the General Land Office, and I give notice that I will call it up at the convenience of the House.

The bill was referred to the Committee of the Whole House on the state of the Union, and ordered to be printed.

#### CHANGE OF REFERENCE.

The SPEAKER laid before the House a request for the change of the bill (S. 876) for the relief of John E. Welch from the Committee on War Claims to the Committee on Claims.

The SPEAKER. Without objection, this change will be made. There was no objection.

#### ENROLLED BILLS SIGNED.

Mr. BAKER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill of the following title; when the Speaker signed the same:

H. R. 12546. An act to change and fix the time for holding the district and circuit courts of the United States for the northeastern division of the eastern district of Tennessee.

The SPEAKER announced his signatures to enrolled bills of the following titles:

S. 1240. An act granting an increase of pension to Samuel Nichols;

S. 3642. An act granting a pension to Augustus R. Rollins, alias Rhenaunt A. Rollins;

S. 3342. An act granting a pension to Samuel Dornon;

S. 946. An act granting an increase of pension to Stephen Johnson;

S. 415. An act granting an increase of pension to John Roop;

S. 952. An act granting an increase of pension to Francis M. Porter;

S. 823. An act granting an increase of pension to Brice Davis;

S. 993. An act granting an increase of pension to Edwin S. Anderson;

S. 1280. An act granting an increase of pension to Alfred Her-ring;

S. 1246. An act granting an increase of pension to Charles A. Perkins;

S. 1282. An act granting an increase of pension to Thomas G. Huff;

S. 1456. An act granting an increase of pension to Fordyce M. Keitle;

S. 1463. An act granting an increase of pension to Jasper Pitts;

S. 1588. An act granting a pension to Eva Clark;

S. 1637. An act granting an increase of pension to George B. Hayden;

S. 1775. An act granting an increase of pension to Andrew J. Arnett;

S. 2110. An act restoring pension of John R. McCoy;

S. 2305. An act granting a pension to Eliza D. Pennypacker;

S. 2333. An act granting an increase of pension to James Osborn;

S. 2486. An act granting an increase of pension to Susan Daniels;

S. 2753. An act granting an increase of pension to David H. Morey;

S. 2767. An act granting a pension to Nellie L. Parsons;

S. 2777. An act granting a pension to Benjamin F. Trapp;

S. 3340. An act granting an increase of pension to George W. Harrison;

S. 3522. An act granting an increase of pension to Eben E. Pushor;

S. 2819. An act granting an increase of pension to Henry Van Gilder;

S. 2827. An act granting an increase of pension to Cornelius Shroder;

S. 2834. An act granting an increase of pension to Ann E. Cuke;

S. 2954. An act granting an increase of pension to Elam Kirk;

S. 3079. An act granting an increase of pension to William Oliver;

S. 3223. An act granting an increase of pension to William R. McMaster;

S. 3512. An act granting an increase of pension to Samuel Schutz;

S. 3517. An act granting an increase of pension to Adam Velton;

S. 2755. An act granting an increase of pension to Isaac N. Cissna;

S. 3624. An act granting a pension to Henry K. Davis;

S. 3574. An act granting a pension to Julia Van Wicklen;

S. 3137. An act granting an increase of pension to Lunsford Ellis;

S. 3729. An act granting a pension to Prudence Reamer;

S. 4128. An act granting a pension to Hester A. Phillips;

S. 3954. An act granting an increase of pension to Caroline Z. Repetti;

S. 3991. An act granting an increase of pension to Sylvester Solomon;

S. 4105. An act granting an increase of pension to John Coombs;

S. 4191. An act granting a pension to Anna E. Littlefield;

S. 4212. An act granting an increase of pension to Edyth M. Muck;

S. 4261. An act granting a pension to Frances M. Celler;

S. 4241. An act granting an increase of pension to William T. Gratton;

S. 4288. An act granting an increase of pension to Elizabeth Brooks;

S. 4296. An act granting an increase of pension to Frances E. Childs;

S. 4420. An act granting an increase of pension to James Irvine;

S. 4548. An act granting an increase of pension to Albert A. Roberts;

S. 4552. An act granting an increase of pension to Joseph Smith;

S. 4557. An act granting an increase of pension to Lucy E. Danilson;

S. 4555. An act granting an increase of pension to Stephen Longfellow;

S. 4553. An act granting an increase of pension to Benjamin Rippleman;

S. 4742. An act granting an increase of pension to Jesse F. Gates;

S. 4771. An act granting an increase of pension to Gilbert F. Colby; and

S. 2884. An act for the relief of Edward Everett Hayden, an en-sign on the retired list of the Navy.

#### SENATE BILL REFERRED.

Under clause 2 of Rule XXIV, Senate bill of the following title was taken from the Speaker's table and referred to its appropriate committee as indicated below:

S. 5346. An act making provision for the employment of clerical assistance in the district of Alaska—to the Committee on the Judiciary.

#### WITHDRAWAL OF PAPERS.

By unanimous consent, leave was granted Mr. CORLISS to withdraw from the files of the House, without leaving copies, papers in the case of the Western Paving and Supply Company, Fifty-fifth Congress, no adverse report having been made thereon.

#### LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows: To Mr. BROSIUS, indefinitely, on account of sickness.

To Mr. RHEA of Virginia, on account of important business.

And then, on motion of Mr. BURTON (at 5 o'clock and 5 minutes), the House adjourned until to-morrow at 12 o'clock noon.

#### EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communication was taken from the Speaker's table and referred as follows:

A letter from the Secretary of the Treasury, transmitting an abstract of the official emoluments of officers of the customs service during the year ended June 30, 1900—to the Committee on Ways and Means, and ordered to be printed.



### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. JENKINS, from the Committee on the Judiciary, to which was referred the joint resolution of the Senate (S. R. 149) providing for the distribution of Compiled Statutes of the District of Columbia to judges of United States courts, reported the same without amendment, accompanied by a report (No. 2328); which said bill and report were referred to the House Calendar.

Mr. HULL, from the Committee on Military Affairs, to which was referred the bill of the Senate (S. 3054) to amend section 12 of an act entitled "An act for increasing the efficiency of the Army of the United States, and for other purposes," approved March 2, 1899, reported the same without amendment, accompanied by a report (No. 2329); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. DAVEY, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 13437) providing for the construction of a bridge across the Yalobusha River, in Grenada County, State of Mississippi, reported the same with amendment, accompanied by a report (No. 2330); which said bill and report were referred to the House Calendar.

Mr. MOODY of Massachusetts, from the Committee on Appropriations, to which was referred the bill of the House (H. R. 13599) to supply a deficiency in the appropriation for transcripts of records and plats in the General Land Office, reported the same, accompanied by a report (No. 2334); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

### REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 5036) granting an increase of pension to Norton Schermerhorn, reported the same without amendment, accompanied by a report (No. 2287); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 4789) granting an increase of pension to Bernard Wagner, reported the same without amendment, accompanied by a report (No. 2288); which said bill and report were referred to the Private Calendar.

Mr. CONNER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 11998) granting an increase of pension to John W. Horner, reported the same with amendment, accompanied by a report (No. 2289); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 4859) granting an increase of pension to Emily A. Wentworth, reported the same without amendment, accompanied by a report (No. 2290); which said bill and report were referred to the Private Calendar.

Mr. SHAW, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 5198) granting an increase of pension to Samuel S. Stafford, reported the same with amendment, accompanied by a report (No. 2291); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 9061) granting a pension to Mary F. Breedlove, reported the same with amendment, accompanied by a report (No. 2292); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 4147) granting an increase of pension to Samuel N. Hoyt, reported the same without amendment, accompanied by a report (No. 2293); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 9526) granting a pension to Mrs. N. Marietta Chapman, reported the same with amendment, accompanied by a report (No. 2294); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 3754) granting a pension to Solomon Delzell, reported the same with amendment, accompanied by a report (No. 2295); which said bill and report were referred to the Private Calendar.

Mr. GRAFF, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 3820) to grant a pension to Edgar Hill, reported the same with amendment, accompanied by a report (No. 2296); which said bill and report were referred to the Private Calendar.

Mr. MINOR, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 5032) granting an increase of pension to John Geibel, reported the same without amendment, accompanied by a report (No. 2297); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 365) granting a pension to Aries Butcher, reported the same with amendment, accompanied by a report (No. 2298); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 2473) granting a pension to Mary J. Fouts, reported the same with amendment, accompanied by a report (No. 2299); which said bill and report were referred to the Private Calendar.

Mr. MINOR, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 5033) granting a pension to Lizzie Barrett, reported the same without amendment, accompanied by a report (No. 2300); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 5645) to increase the pension of W. H. H. Bonslough, reported the same with amendment, accompanied by a report (No. 2301); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 3949) for the relief of Minnie Gray, widow of Frank Gray, late captain, One hundred and twenty-fourth United States Colored Infantry, reported the same with amendment, accompanied by a report (No. 2302); which said bill and report were referred to the Private Calendar.

Mr. SHAW, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 8577) granting a pension to Levi C. Hare, reported the same with amendment, accompanied by a report (No. 2303); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 7697) granting a pension to Elizabeth M. Sale, reported the same with amendment, accompanied by a report (No. 2304); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 13120) granting an increase of pension to Albert L. Duddleson, reported the same with amendment, accompanied by a report (No. 2305); which said bill and report were referred to the Private Calendar.

Mr. MINOR, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 5081) granting an increase of pension to Joseph B. Whiting, reported the same without amendment, accompanied by a report (No. 2306); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 13058) granting an increase of pension to Edward S. Pierce, reported the same with amendment, accompanied by a report (No. 2307); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 13118) granting a pension to Rebecca J. Gray, reported the same with amendment, accompanied by a report (No. 2308); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 10689) to increase the pension of Michael Falkoner, Company B, One hundred and forty-ninth Regiment Pennsylvania Volunteer Infantry, reported the same with amendment, accompanied by a report (No. 2309); which said bill and report were referred to the Private Calendar.

Mr. CROWLEY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 12710) granting an increase of pension to William H. Simmonds, reported the same with amendment, accompanied by a report (No. 2310); which said bill and report were referred to the Private Calendar.

Mr. MINOR, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 4440) granting an increase of pension to Charles Stewart, reported the same without amendment, accompanied by a report (No. 2311); which said bill and report were referred to the Private Calendar.

Mr. CONNER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 11798) to increase

the pension of Lealdes F. Laverty, reported the same with amendment, accompanied by a report (No. 2312); which said bill and report were referred to the Private Calendar.

Mr. CROWLEY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 11529) granting an increase of pension to Don Farrington, reported the same with amendment, accompanied by a report (No. 2313); which said bill and report were referred to the Private Calendar.

Mr. GRAFF, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 10978) granting an increase of pension to Gen. Augustus L. Chetlain, reported the same with amendment, accompanied by a report (No. 2314); which said bill and report were referred to the Private Calendar.

Mr. COCHRANE of New York, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 10358) granting a pension to Elizabeth J. Jones, reported the same with amendment, accompanied by a report (No. 2315); which said bill and report were referred to the Private Calendar.

Mr. GASTON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 13312) granting a pension to Albert Foster, reported the same with amendment, accompanied by a report (No. 2316); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 3233) granting an increase of pension to Nicholas B. Ireland, reported the same with amendment, accompanied by a report (No. 2317); which said bill and report were referred to the Private Calendar.

Mr. OTEY, from the Committee on Claims, to which was referred the bill of the House (H. R. 2455) for the relief of W. C. Taylor, of Mobile, Ala., reported the same without amendment, accompanied by a report (No. 2318); which said bill and report were referred to the Private Calendar.

Mr. FITZGERALD of New York, from the Committee on Claims, to which was referred the bill of the House (H. R. 2414) for the relief of John A. Mason, collector of internal revenue, Second district of New York, for value of stamps destroyed by fire, reported the same without amendment, accompanied by a report (No. 2319); which said bill and report were referred to the Private Calendar.

Mr. MAHON, from the Committee on War Claims, to which was referred the bill of the House (H. R. 13276) for the allowance of certain claims for stores and supplies reported by the Court of Claims under the provisions of the acts approved March 3, 1883, and March 3, 1887, and generally known as the Bowman and Tucker acts, and for other purposes, reported the same with amendment, accompanied by a report (No. 2320); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill H. R. 10571, reported in lieu thereof a resolution (H. Res. 362) for the relief of the Baltimore and Ohio Railroad Company, accompanied by a report (No. 2321); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 13038) for the relief of the estate of James Brown, deceased, reported the same without amendment, accompanied by a report (No. 2322); which said bill and report were referred to the Private Calendar.

Mr. HENRY of Mississippi, from the Committee on War Claims, to which was referred the bill H. R. 11551, reported in lieu thereof a resolution (H. Res. 363) for the relief of William A. Bird, accompanied by a report (No. 2323); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill H. R. 5404, reported in lieu thereof a resolution (H. Res. 364) for the relief of H. S. Simmons's estate, accompanied by a report (No. 2324); which said bill and report were referred to the Private Calendar.

Mr. CALDWELL, from the Committee on War Claims, to which was referred the bill of the House (H. R. 8345) for the relief of T. A. Woodress, of Grundy County, Mo., reported the same without amendment, accompanied by a report (No. 2325); which said bill and report were referred to the Private Calendar.

Mr. HENRY of Mississippi, from the Committee on War Claims, to which was referred the bill of the House (H. R. 3749) for the relief of Flora A. Darling, reported the same without amendment, accompanied by a report (No. 2326); which said bill and report were referred to the Private Calendar.

Mr. CALDWELL, from the Committee on War Claims, to which was referred the bill of the House (H. R. 8185) for the relief of William B. Payne, reported the same without amendment, accompanied by a report (No. 2327); which said bill and report were referred to the Private Calendar.

Mr. SPALDING, from the Committee on War Claims, to which was referred the bill of the House (H. R. 3787) for the relief of Morris F. Cawley, reported the same without amendment, accom-

panied by a report (No. 2331); which said bill and report were referred to the Private Calendar.

Mr. MAHON, from the Committee on War Claims, to which was referred the bill of the House (H. R. 13111) for the relief of William Courtenay, reported the same without amendment, accompanied by a report (No. 2332); which said bill and report were referred to the Private Calendar.

#### CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on War Claims was discharged from the consideration of the bill (H. R. 11824) for the relief of Edward Sacra, and the same was referred to the Committee on Claims.

#### PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS INTRODUCED.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred, as follows:

By Mr. ROBINSON of Indiana: A bill (H. R. 13577) to amend section 7, legislative, executive, and judicial appropriation bill for fiscal year ending June 30, 1899, discontinuing "sick leave"—to the Committee on Reform in the Civil Service.

Mr. MOODY of Massachusetts reported a bill (H. R. 13599) to supply a deficiency in the appropriation for transcripts of records and plats in the General Land Office—to the Committee of the Whole House on the state of the Union.

By Mr. BAKER: A resolution (H. Res. 365) authorizing the employment of two additional clerks to the Committee on Enrolled Bills during the remainder of the session—to the Committee on Accounts.

#### PRIVATE BILLS AND RESOLUTIONS INTRODUCED.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. BENTON: A bill (H. R. 13578) granting an increase of pension to James Smith—to the Committee on Pensions.

By Mr. CONNER: A bill (H. R. 13579) to correct military record of Joseph Bentz—to the Committee on Military Affairs.

By Mr. DAVIS: A bill (H. R. 13580) granting an increase of pension to M. A. Knight—to the Committee on Pensions.

By Mr. HENRY of Mississippi: A bill (H. R. 13581) for the relief of Charlotte Spears—to the Committee on War Claims.

By Mr. LONG: A bill (H. R. 13582) granting an increase of pension to John M. Hartnett—to the Committee on Pensions.

Also, a bill (H. R. 13583) granting an increase of pension to John W. Burns—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13584) for the relief of John C. Sims—to the Committee on Military Affairs.

By Mr. MUDD: A bill (H. R. 13585) granting a pension to Nancy Cate—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13586) granting a pension to Milton Phillips—to the Committee on Invalid Pensions.

By Mr. NORTON of Ohio: A bill (H. R. 13587) for the relief of Col. Azor H. Nickerson—to the Committee on Military Affairs.

By Mr. RIXEY (by request): A bill (H. R. 13588) for the relief of the heirs of Stephen D. Castleman—to the Committee on War Claims.

Also (by request), a bill (H. R. 13589) for the relief of the heirs of Eli Stake—to the Committee on War Claims.

By Mr. SHOWALTER: A bill (H. R. 13590) to remove the charge of desertion from the record of Rufus D. Hindman—to the Committee on Military Affairs.

By Mr. SPALDING: A bill (H. R. 13591) to pay Samuel Lee for services in the Forty-seventh Congress—to the Committee on Appropriations.

By Mr. SOUTHARD: A bill (H. R. 13592) to correct the military record of Henry Brunn, alias Henry Brown—to the Committee on Military Affairs.

By Mr. SULLOWAY: A bill (H. R. 13593) granting an increase of pension to Lewis W. Phillips—to the Committee on Invalid Pensions.

By Mr. PEARRE: A bill (H. R. 13594) granting an increase of pension to John Smith—to the Committee on Invalid Pensions.

By Mr. ADAMSON: A bill (H. R. 13595) for the relief of N. N. Lowry—to the Committee on War Claims.

By Mr. BINGHAM: A bill (H. R. 13596) for the relief of the Military Order of the Loyal Legion of the United States—to the Committee on Patents.

By Mr. BULL: A bill (H. R. 13597) directing the Secretary of the Navy to deliver condemned ordnance to the Sockanosset School for Boys, located at Howard, R. I.—to the Committee on Naval Affairs.



Also, a bill (H. R. 13598) donating a 3-inch field gun, with carriage, to the Sockanosset School for Boys, at Howard, R. I.—to the Committee on Military Affairs.

#### PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. COOPER of Wisconsin: Petition of Grand Chief Templar W. H. Clark and Secretary H. A. Larson, in behalf of 11,000 Good Templars of Wisconsin, for the protection of the New Hebrides against American rum and guns—to the Committee on Alcoholic Liquor Traffic.

By Mr. FOSTER: Petition of Smith-Wallace Shoe Company and other manufacturers of Chicago, Ill., praying for the removal of the duty on hides—to the Committee on Ways and Means.

By Mr. GRAHAM: Petition of the synod of the Reformed Presbyterian Church, F. M. Foster, moderator, asking that no appropriations be made for expositions unless it is provided that they be closed on the Lord's day—to the Committee on Appropriations.

Also, petition of Wilson Memorial Methodist Episcopal Church, of Washington, D. C., in favor of the anti-polygamy amendment to the Constitution—to the Committee on the Judiciary.

By Mr. GRIFFITH: Papers to accompany House bill No. 11678, granting an increase of pension to James Scroggum—to the Committee on Invalid Pensions.

By Mr. HOFFECKER: Petitions of keepers and surfmen of Cape Henlopen, Lewes, and Rehoboth stations, favoring the passage of bill to promote the efficiency of Life-Saving Service—to the Committee on Interstate and Foreign Commerce.

By Mr. LACEY: Resolutions of the faculty of the College of Liberal Arts of the State University of Iowa, favoring the passage of House bill No. 11350, to establish the national standardizing bureau—to the Committee on Coinage, Weights, and Measures.

By Mr. LOUDENSLAGER: Petition of 12 citizens of Haddonfield, N. J., relative to the exclusion of alcoholic liquor from Africa and all countries inhabited chiefly by native races—to the Committee on Alcoholic Liquor Traffic.

By Mr. MESICK: Petitions of keepers and surfmen of Two Heart River station and Charlevoix station, favoring bill to promote efficiency of Life-Saving Service—to the Committee on Interstate and Foreign Commerce.

By Mr. NAPHEN: Resolutions of Kearsarge Association, Naval Veterans, of Boston, Mass., for the passage of Senate bill No. 3422, an act to equalize the rank and pay of certain retired officers of the Navy—to the Committee on Naval Affairs.

By Mr. NORTON of Ohio: Papers to accompany House bill for the relief of Col. Azer H. Nickerson—to the Committee on Military Affairs.

By Mr. ROBINSON of Indiana: Petition of Rev. H. J. Norris and others, of Fort Wayne, Ind., in favor of an amendment to the Constitution against polygamy—to the Committee on the Judiciary.

By Mr. RUPPERT: Petition of the Ohio Valley Association requesting Congress to make additional appropriations for continuing certain improvements in the Ohio River—to the Committee on Rivers and Harbors.

Also, petition of the interstate-commerce law convention advocating the speedy passage of House bill No. 1439, amending the act to regulate commerce—to the Committee on Interstate and Foreign Commerce.

Also, petition of the Maritime Association of the Port of New York advocating governmental aid to shipping, and the passage at this session of some measure that will accomplish this purpose—to the Committee on the Merchant Marine and Fisheries.

By Mr. SHOWALTER: Petition of 75 citizens of Beaver County, Pa., for the ratification of the treaty between civilized nations relative to alcoholic trade in Africa—to the Committee on Foreign Affairs.

Also, petition of Rufus D. Hindman, of Butler, Pa., to remove the charge of desertion from his military record and grant him an honorable discharge—to the Committee on Military Affairs.

By Mr. THAYER: Petition of the internal-revenue gaugers, storekeepers, etc., of the collection district of Massachusetts, for sufficient appropriation to provide for their vacation without loss of pay—to the Committee on Appropriations.

Also, petition of citizens of Westboro, Mass., against the parcels-post system—to the Committee on the Post-Office and Post-Roads.

By Mr. THOMAS of Iowa: Petition of J. H. Carpenter and others, of Le Mars, and of the Methodist Episcopal Church of Hawarden, Iowa, urging the ratification of a treaty between civilized nations relative to alcoholic trade in Africa, and to prevent the sale of opium, intoxicants, etc., to undeveloped and childlike races—to the Committee on Alcoholic Liquor Traffic.

Also, petition of F. R. Brennan and 9 others, of Iowa, against the parcels-post system—to the Committee on the Post-Office and Post-Roads.

#### SENATE.

WEDNESDAY, January 16, 1901.

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. NELSON, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. Without objection, the Journal will stand approved.

#### FRENCH SPOILIATION CLAIMS.

The PRESIDENT pro tempore laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting the conclusions of fact and of law filed under the act of January 20, 1885, in the French spoliation claims relating to the vessel brig *Betsey*, George R. Turner, master; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

#### ELECTORAL VOTES OF NEBRASKA, LOUISIANA, AND KANSAS.

The PRESIDENT pro tempore laid before the Senate three communications from the Secretary of State, transmitting certified copies of the final ascertainment of the electors for President and Vice-President appointed in the States of Nebraska, Louisiana, and Kansas, at the elections held therein on the 6th day of November, 1900; which, with the accompanying papers, were ordered to lie on the table.

#### ENROLLED BILLS SIGNED.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the President pro tempore:

A bill (S. 415) granting an increase of pension to John Roop;  
A bill (S. 823) granting an increase of pension to Brice Davis;  
A bill (S. 946) granting an increase of pension to Stephen Johnson;

A bill (S. 952) granting an increase of pension to Francis M. Porter;

A bill (S. 993) granting an increase of pension to Edwin S. Anderson;

A bill (S. 1240) granting a pension to Samuel Nichols;

A bill (S. 1246) granting an increase of pension to Charles A. Perkins;

A bill (S. 1280) granting an increase of pension to Alfred Her-ring;

A bill (S. 1282) granting an increase of pension to Thomas G. Huff;

A bill (S. 1456) granting an increase of pension to Fordyce M. Keitle;

A bill (S. 1463) granting an increase of pension to Jasper Pitts;

A bill (S. 1588) granting a pension to Eva Clark;

A bill (S. 1627) granting an increase of pension to George B. Hayden;

A bill (S. 1775) granting an increase of pension to Andrew J. Arnett;

A bill (S. 2110) restoring the pension of John R. McCoy;

A bill (S. 2305) granting a pension to Eliza D. Pennypacker;

A bill (S. 2333) granting an increase of pension to James Osborn;

A bill (S. 2486) granting an increase of pension to Susan Daniels;

A bill (S. 2753) granting an increase of pension to David H. Morey;

A bill (S. 2755) granting an increase of pension to Isaac N. Cissna;

A bill (S. 2767) granting a pension to Nellie L. Parsons;

A bill (S. 2777) granting a pension to Benjamin F. Trapp;

A bill (S. 2819) granting an increase of pension to Henry Van Gelder;

A bill (S. 2827) granting an increase of pension to Cornelius Shroder;

A bill (S. 2834) granting an increase of pension to Ann E. Cluke;

A bill (S. 2884) for the relief of Edward Everett Hayden, an ensign on the retired list of the Navy;

A bill (S. 2954) granting an increase of pension to Elam Kirk;

A bill (S. 3079) granting an increase of pension to William Oliver;

A bill (S. 3137) granting an increase of pension to Lunsford Ellis;

A bill (S. 3223) granting an increase of pension to William R. McMaster;

A bill (S. 3440) granting an increase of pension to George W. Harrison;

A bill (S. 3342) granting a pension to Samuel Dornon;

A bill (S. 3512) granting an increase of pension to Samuel Schütz;

A bill (S. 3517) granting an increase of pension to Adam Velten;

A bill (S. 3522) granting an increase of pension to Eben E. Pushor;

A bill (S. 3574) granting a pension to Julia Van Wicklen;